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THESIS

**TRANSITIONS TO PEACE: EFFECTS ON INTERNAL
SECURITY FORCES IN NICARAGUA, EL SALVADOR
AND GUATEMALA**

by

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December 2008

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NICARAGUA, EL SALVADOR AND GUATEMALA**

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ABSTRACT

This thesis examines the effect of transitions to peace in Nicaragua, El Salvador and Guatemala on internal security forces. It reveals how the influence of the military affected the implementation of internal security reforms, shaping the professionalism and effectiveness of police forces in the fight against violence and gangs today. The research shows that Sandinista influence allowed Nicaragua to maintain an experienced core of security personnel that has confronted the present challenges more effectively. Reforms in El Salvador yielded a new, highly restructured and reduced security force of which only one-fifth possessed some policing experience, reducing the short-term effectiveness of the force in the fight against insecurity, but increasing the probability for long-term consolidation of a professional and effective police institution. In Guatemala, the transitions resulted in the creation of a new police force mostly manned by former security personnel, perpetuating the corruption that permeated the force prior to the transitions--a fact reflected in the high levels of crime in the country today. The thesis proposes that the effect of the transitions on the current forces is a pivotal factor on their effectiveness, and must be addressed in order to improve security for citizens and democracy.

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I. INTRODUCTION

A. TRANSITIONS TO PEACE AND INTERNAL SECURITY FORCES: A COMPARATIVE STUDY OF NICARAGUA, EL SALVADOR AND GUATEMALA

The high level of violence in Central America continues to pose a major problem for these new Latin American democracies. The situation has changed from that of the 1980s: “no longer are civil wars the predominant threat to the state; it is now crime and the resulting civil insecurity that endangers the nascent democratic government.”¹ In response to increased public attention on the problem of *maras* (youth gangs) and the media’s often sensationalist exposure of their heinous crimes, some governments have reacted by enacting tough anti-gang policies known as *mano dura* (tough hand). These policies have had little success in abating the violence or increasing security for citizens.² In fact, “since governments began to implement these *mano dura* strategies, homicide rates have risen in Central America, and citizen security has not improved.”³ The problem is such that the U.S. Southern Command has “identified Central American gangs as one of the main threats to regional security.”⁴

The violence and *maras* problem in Central America is a complex and multifaceted issue with various socio-economic roots. The problem is augmented by insufficient mobilization of state resources and inadequate taxation institutions that are unable to generate sufficient revenue to pay for increased police forces that are better trained and equipped. Government and citizen responses to rising insecurities have been problematic, may have undermined democratic principles, and have demonstrated how

¹ Orlando J. Perez, “Democratic Legitimacy and Public Insecurity: Crime and Democracy in El Salvador and Guatemala,” *Political Science Quarterly* 118, no.4 (2003-04): 627.

² Clare Ribando Seelke, *CRS Report for Congress: Gangs in Central America* (Washington, DC: Congressional Research Service, October 17, 2008), 6-9.

³ “CQ Congressional Testimony: Violence in Central America,” *Congressional Quarterly* (June 26, 2007): 6. The quote is from the testimony of Geoff Thale, Program Director of the Washington Office on Latin America.

⁴ David Adams, “Threat of Central American Gangs is Growing,” *St. Petersburg Times*, April 17, 2006, sec. A.

“states with a strong military and dictatorial past have inherent difficulties in separating internal security tasks from national defense functions.”⁵ The complexity of the issue calls for extensive studies in order to implement proper responses in the areas of prevention, suppression, and reintegration of reformed gang members into civil society. An area that needs more emphasis for research is the role of the military in the transitions to peace in Nicaragua, El Salvador, and Guatemala and how it shaped the current internal security forces in these countries, resulting in different approaches and levels of success in the fight against violence and gangs. The issue is paramount because the successful implementation of anti-crime policies requires an effective and professional police force. An analysis of the effects of the transition can help identify critical elements for reform that will improve the professionalism and effectiveness of these police forces, increasing the opportunity for success in the fight against crime.

The case studies of Nicaragua, El Salvador, and Guatemala provide an excellent opportunity for research on this issue, because all three countries underwent transitions from authoritarian governments and violent internal conflicts in which the military was responsible for internal security, to democratic governance with civilian police forces guaranteeing citizen security in the 1990s. The transitions had an immediate effect on crime rates. As Charles T. Call has pointed out, “contrary to what one might expect, judicial and police reforms embedded in dramatic transitions from war to peace have coincided with more, rather than less, violence.”⁶ This has certainly been the case in these three countries in the period immediately following the transition. In Nicaragua, the crime rate “rose precipitously in the postwar period...the number of violent crimes reported to the police in 1990 was 8,056; this soared to 18,037 for 1995, an increase of 112 percent.”⁷ In El Salvador, violent deaths from 1994-1997 exceeded the “yearly

⁵ Mathieu Deflem and Suzanne Sutphin, “Policing Post-War Iraq: Insurgency, Civilian Police and the Reconstruction of Society,” *Sociological Focus* 39 no. 4 (November 2006): 277.

⁶ Charles T. Call, *Sustainable Development in Central America: The Challenges of Violence, Injustice and Insecurity*, Office of Regional and Sustainable Development, Latin American and the Caribbean (LAC), U.S. Agency for International Development, 15, <http://ca2020.fiu.edu>.

⁷ Alejandro Bendaña, “Reflections,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 67.

average of 6,000 deaths during the war itself.”⁸ Guatemala experienced an increase in violent deaths from 66.9 per 100,000 in 1996 to 75.2 in 1997 and 76.9 in 1998, the two years following the peace accords.⁹

One reason for the increase in violence is that reform often involves the removal of trained personnel and the “disruption of legal systems, internal security forces and other state enforcement mechanisms which, while meriting serious reforms, deterred criminal behavior.”¹⁰ Robert Perito, a former U.S. Department of State official attributes much of the cause for post-transition violence to the fact that “police reform will always be difficult, because even when police officials are given new equipment and better training, they will have great difficulties performing in an effective and accountable manner.”¹¹ Perito calculates that the training required for an effective and professional police force “can take at least five years and requires the help of international experts with foreign experience.”¹² But what explains the inability to reduce violence and gang presence more than a decade after the peace accords? One possible explanation, and the emphasis of this thesis, is that the role played by the military before, during, and after the transition shaped the forces responsible for security, directly affecting their level of professionalism and effectiveness today.

The military role in these Central American transitions is important because “prior to and during the civil conflicts that engulfed Central America in the 1970s and 1980s, responsibility for maintenance of public order and internal security was usually

⁸ Jenny Pearce, “From Civil War to ‘Civil Society:’ Has the End of the Cold War Brought Peace to Central America?” *International Affairs* 74, no. 3 (July 1998): 590. The author gives figures for 1994-1995, figures for 1996-1997 are from Charles T. Call, *Sustainable Development in Central America*, 9.

⁹ Charles T. Call, *Sustainable Development in Central America*, 9.

¹⁰ Ibid., 12-13.

¹¹ Mathieu Deflem and Suzanne Sutphin, “Policing Post-War Iraq,” *Sociological Focus* 39, no. 4 (November 2006): 277. See also: *United States Institute of Peace Special Report: The Coalition Provisional Authority’s Experience with Public Security in Iraq*, (April 2005), <http://www.usip.org/pubs/specialreports/sr137.html>.

¹² Ibid., 277. See also: Robert Perito, interview, *News Hour with Jim Lehrer*, (April 21, 2003), http://www.pbs.org/newshour/bb/military/jan-june03/recon_4-21.html.

part of the role and mission of the armed forces.”¹³ Thus, prior to the transitions, the militaries in these countries served as police forces with varying levels of success. The transition itself plays an important role in determining if characteristics of the old force are eliminated or preserved. Cynthia J. Arnson has pointed out how “the strength—moral and otherwise—of the armed forces going into a negotiation affects the degree to which they are able to protect their interests during the negotiation and behave as an ‘authoritarian enclave’ in the post-settlement period.”¹⁴ Charles T. Call argues that reforms following negotiations reflect a balance between interests and bargaining positions of the negotiating parties.¹⁵ Therefore, the ability of the military to influence the transition can determine the effective implementation of different elements of the peace accords, the degree to which old institutions and methods are preserved, and the ability to create new and effective institutions and approaches to tackle internal security challenges in a democratic system.

The next section will show that much of the debate on how to deal with high levels of crime centers on the socio-economic causes for the violence and presence of gangs, the appropriateness and effectiveness of government and citizen responses, the need for greater regional cooperation, and increased allocation of government resources and international assistance. Unfortunately, this debate overlooks the transitions to peace and how the implementation of reforms shaped the present security forces, affecting their professionalism and effectiveness, and generating long-term effects on internal security in these post-conflict democracies. This is an essential aspect, because the successful implementation of internal security policies is highly dependent on the effectiveness and professionalism of the security forces carrying out government strategies. Additionally, by looking at how the transitions shaped the current forces, crucial areas for reform may

¹³ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 390.

¹⁴ Cynthia J. Arnson, “Conclusion: Lessons Learned in Comparative Perspective,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 452.

¹⁵ Charles T. Call, “From Soldiers to Cops: War Transitions and the Demilitarization of Policing in Latin America and the Caribbean.” Ph.D. diss., Stanford University, 1999.

be identified that may greatly increase effectiveness and professionalism. Furthermore, inherent strengths in the more successful cases may be noted, providing a framework for success that may be implemented by the less successful security forces.

B. THE CHALLENGE OF INSECURITY: A THREAT TO DEMOCRACY

1. Public Support of Authoritarian Measures

The problem of violence in Central America is important because frustration with rising violence and the government's failure to enforce the law undermines the government's legitimacy as it "shakes public confidence in the police and judicial system, weakens the rule of law, and increasingly undermines support for democracy..as citizens may be receptive to new political alternatives, even those that would undermine democracy."¹⁶ Previous public opinion polls in Central America indicate support for actions that threaten democratic principles. In a survey in El Salvador, for example, "fifty-five percent of respondents would support a military coup under conditions of high crime...[and] thirty-one percent of Salvadorians expressed high support for a government that applies authoritarian measures."¹⁷ Another survey showed "70.5 percent of Guatemalans supported a role for the armed forces in fighting crime."¹⁸ These attitudes pose a significant challenge to democracy today: as the 2008 *Latinobarometro* report shows, Latin American citizens rank crime ahead of unemployment and the economy as the number one problem in the region.¹⁹

The public also appears to support more repressive measures that violate individual rights. Despite reports of extrajudicial killings, it is not uncommon for citizens to ignore these violations of due process and concentrate on the perceived near-term benefits. In Guatemala, when asked about the problem of extrajudicial killings, residents

¹⁶ Orlando J. Perez, "Democratic Legitimacy and Public Insecurity," 628-629.

¹⁷ Orlando J. Perez, "Democratic Legitimacy and Public Insecurity," 638-639. See also: Miguel Cruz, "The Impact of Crime on Democratization in El Salvador" (paper delivered at the Latin American Studies Association 22nd International Conference, Miami, March 16-18, 2000).

¹⁸ Ibid., 634.

¹⁹ Corporación Latinobarómetro, *Informe 2008*, (Santiago: Corporación Latinobarómetro, November 2008), 23.

of a neighborhood known to have substantial crime problems did not show concern with the lack of due process and instead commented that “some of the killings had brought relief.”²⁰ These attitudes demonstrate that “if governments are unable to protect citizens from violence in society, then unconsolidated democratic practices may be threatened by calls for a reversion to authoritarianism.”²¹ Such inclinations present a clear danger to democracy: just as increased violence perpetrated by the Shining Path in Peru allowed Alberto Fujimori to win the presidency and consolidate his power, the pervasive violence in Central America provides fertile ground for new authoritarian figures to rise to power in the region.

2. Alternative Justice

Government ineffectiveness in implementing the rule of law “provides incentives for citizens and groups to seek alternative, informal, or private means of justice and security.”²² One alternative, for those who can afford it, is employing private security to protect them from the violence. In Guatemala, where “the police comprise just 20,000 officers for a country of 13 million people...unregulated private security firms employ perhaps 100,000 people.”²³ In some cases, these private security agencies “have become an important repository for unemployed ex-military (and ex-guerrilla) personnel who might otherwise turn to common crime to make a living.”²⁴ However, there is a negative aspect to the increase in these agencies as “private security efforts become an excuse not to invest in public security forces and violence prevention, [leaving the poor] unprotected, deepening unequal access to security and fueling further privatization of security.”²⁵

²⁰ Ginger Thompson, “Guatemala Bleeds in Vise of Gangs and Vengeance,” *New York Times*, January 1, 2006, sec. 1.

²¹ Charles T. Call, *Sustainable Development in Central America*, 7.

²² Ibid.

²³ “Impunity rules: Guatemala,” *The Economist*, November 18, 2006.

²⁴ Charles T. Call, *Sustainable Development in Central America*, 30. According to the author, interviews in El Salvador indicated more than half of the personnel employed by these agencies are ex-military.

²⁵ Ibid., 30.

As security becomes less accessible to the poor, those who cannot afford private security may resort to “reluctant membership in gangs or participation in crude protection rackets.”²⁶ Some citizens turn to vigilantism. A 1998 UN report noted that “vigilante groups in Guatemala commit crimes throughout the country with what appears to be complete immunity...[and] the Guatemalan justice system is either deficient or unwilling to prosecute cases involving vigilante groups.”²⁷ As the Guatemalan neighborhood of *El Mezquital* illustrates, the problem continues today. Interviewed for an article in the New York Times, Guadalupe del Carmen Alvarado, a resident of this neighborhood, said that “after gang members had killed a couple of merchants and bus drivers who had refused to pay war taxes, the other merchants and bus drivers pooled their money to hire gunmen to ‘eliminate the gangs.’”²⁸ Their action shows how the “failure to reduce crime leads both to vigilante actions by outraged citizens and to calls for a return of repressive measures.”²⁹ Not surprisingly, in March 2006, the U.S. Department of State pointed to “extrajudicial killings by police, vigilantes, or former members of security forces as the leading human rights violation in both Honduras and Guatemala.”³⁰ El Salvador is not immune to this problem and “there have been reports of a paramilitary vigilante group

²⁶ Miguel Angel Centeno, *Blood and Debt: War and the Nation-State in Latin America* (University Park: The Pennsylvania State University Press, 2002), 7.

²⁷ Jane’s Intelligence Review, “Security Briefs: Vigilantes in Guatemala,” 01 August, 1998, http://www8.janes.com/JDIC/JMSA/documentView.do?docId=/content1/janesdata/mags/jir/history/jir98/jir00575.htm@current&pageSelected=&keyword=&backPath=http://jmsa.janes.com/JDIC/JMSA&Prod_Name=JIR&activeNav=http://www8.janes.com/JDIC/JMSA.

²⁸ Ginger Thompson, “Guatemala Bleeds in the Vise of Gangs and Vengeance,” *New York Times*, January 1, 2006, sec. 1.

²⁹ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 410.

³⁰ Indira A. R. Lakshmanan, “Death Squads Said to Target youths: Slayings of Young Men Go Unsolved in Central America,” *Boston Globe*, April 19, 2006, A6.

(*La Sombra Negra*)...however, its existence has not been officially confirmed,”³¹ and “a 2007 State Department paper on youth gangs in El Salvador states that there have been ‘no credible reports of police engaging in extrajudicial killings of gang members.’”³²

3. Increased Criminal Organization and Efficiency

Mano dura policies have also affected the *maras*. While enforcing anti-gang legislation, the police have increased the number of arrests of suspected gang members, frightening them.³³ Detractors of *mano dura* argue that “instead of focusing on law enforcement efforts aimed at capturing top gang leaders, [these] initiatives...have emphasized rounding up any tattooed youth, many of whom were later released for lack of evidence.”³⁴ Salvadoran PNC data indicates 10,000 of 14,000 such arrestees in 2005 were later released.³⁵ These arrests have “overloaded the judicial system...and created a revolving door.”³⁶

The number of youths exposed to prison is alarming, because “prison-gang interaction is key to solidifying gang culture, recruiting new members, [and] establishing a base of operations for indoctrination and communications.”³⁷ Not surprisingly, the *maras* have gotten “more organized and more clandestine...and jailed gang members have begun to develop prison gang networks that extend across cliques and across cities.”³⁸ In

³¹ Ana Gilmore, “Gang Warfare: Mara Activity Becomes International Threat,” *Jane’s Intelligence Review*, July 01, 2007, http://www8.janes.com/JDIC/JMSA/documentView.do?docId=/contnt1/janesdata/mags/jir/history/jir2007/jir10178.htm@current&pageSelected=&keyword=&backPath=http://jmsa.janes.com/JDIC/JMSA&Prod_Name=JIR&activeNav=http://www8.janes.com/JDIC/JMSA.

³² Clare Ribaldo Seelke, *Gangs in Central America*, 9. See also: U.S. Department of State, Bureau of Democracy, Human Rights and Labor, *Issue Paper: Youth Gang Organizations in El Salvador* (June, 2007).

³³ The Economist, “Out of the underworld—Criminal gangs in the Americas,” January 7, 2006.

³⁴ Clare Ribaldo Seelke, *Gangs in Central America*, 6.

³⁵ EFE News Service, “Most of 14,000 Gang Members Arrested in El Salvador Were Released,” December 27, 2005.

³⁶ Indira A. R. Lakshmanan, “Gangs Roil Central America; Troubles Linked to US Deportees,” *Boston Globe*, April 17, 2006, A1.

³⁷ John P. Sullivan, “Maras Morphing: Revisiting Third Generation Gangs,” *Global Crime* 7, no. 3-4 (August-November 2006): 497.

³⁸ Congressional Quarterly, “CQ Congressional Testimony: Violence in Central America,” 6.

essence, the *maras* are using jail time as an opportunity to improve their organization, increase their contacts and expand their ability to continue their nefarious activities. These prison networks and their improved organization are effective enough to allow for coordinated attacks: in August 2005, “at least 35 *Mara 18* members were killed by Salvatruchas in a coordinated effort across several Guatemalan jails.”³⁹

U.S. law-enforcement officials fear increased gang coordination and organization may reach as far as the United States. Gang members turned informants have stated that in the U.S., MS-13 “gang leaders sent money to MS-13 leaders in El Salvador,”⁴⁰ and U.S. “clique leaders were required from time to time to call gang leaders in El Salvador to report on how the gang was doing, and the Salvadorans would advise the local leaders.”⁴¹ A Congressional Research Service report for Congress on gangs in Central America highlights that some experts believe “contact between gang members across the regions is increasing, and that this tendency may have caused increased gang-related violent crime in the United States.”⁴² There are increasing fears that the gangs may be establishing links with organized crime,⁴³ and “regional and U.S. authorities have confirmed gang involvement in regional drug trafficking.”⁴⁴

Reacting to police pressure, the *maras* have “changed many ‘rules’ required for *mareros*, including the need to display tattoos or dress in a particular way, allowing these new types of *mareros* to ‘blend’ into society.”⁴⁵ As the gangs become less conspicuous, they are “able to move around easily and engage in increasingly sophisticated crimes,

³⁹ The Economist, “Out of the underworld—Criminal gangs in the Americas,” January 7, 2006.

⁴⁰ Ruben Castañeda, “Ex-Member of MS-13 Wore a Wire For Agents; Testimony Could Prove Global Ties,” *Washington Post*, October 13, 2006, B01.

⁴¹ Ruben Castañeda, “Gang Members Describe Life Inside MS-13,” *Washington Post*, October 18, 2006, B06.

⁴² Clare Ribaldo Seelke, *Gangs in Central America*, 1.

⁴³ Indira A. R. Lakshmanan, “Gangs Roil Central America; Troubles Linked To US Deportees,” *Boston Globe*, April 17, 2006, A1.

⁴⁴ Clare Ribaldo Seelke, *Gangs in Central America*, 4.

⁴⁵ Joanna Mateo, *Gang Violence in Central America: The Case of Honduras; Identifying a Role for USSOUTHCOM* (Miami: Florida International University, April 2008), 9.

blurring the distinction between gangs and organized crime networks.”⁴⁶ Country reports at the most recent anti-gang convention (*IV Convención Antipandillas*) in El Salvador, revealed *maras* are increasingly involved in “more complex and lucrative crimes requiring greater coordination, planning and execution.”⁴⁷ These patterns indicate the *maras* may be transitioning “from traditional turf gangs, to market oriented drug gangs,”⁴⁸ what John P. Sullivan calls “2nd Generation Gangs.” The challenge is to stop this evolutionary process before the *maras* morph into “a new third generation that combines political and mercenary aims.”⁴⁹

C. WHY MANO DURA HAS NOT WORKED

1. Ignoring Other Sources of Violence

One reason the *mano dura* policies have been unsuccessful is that the government, citizens and the media have concentrated on the *maras* while paying less attention—and even ignoring--other sources of violence. Illegally armed groups such as paramilitaries and vigilantes add to the level of violence and Central America remains a major route for drugs entering the United States. It has been estimated that “somewhere between 60 and 90 percent of the South American cocaine that enters the United States now comes through Central America...pulling rising levels of political instability, violence and corruption in its wake.”⁵⁰ This drug trafficking has increased the presence

⁴⁶ Lainie Reisman, “Breaking the vicious Cycle: Responding to Central American Youth Gang Violence,” *SAIS Review* XXVI, no. 2 (Summer-Fall 2006): 149.

⁴⁷ Policia Nacional de El Salvador, *Recomendaciones de la IV Convencion Antipandillas* (paper presented at the IV Anti-gang Convention, El Salvador, April 2008), 3.

⁴⁸ John P. Sullivan, “Maras Morphing: Revisiting Third Generation Gangs,” 489.

⁴⁹ John P. Sullivan, “Maras Morphing: Revisiting Third Generation Gangs,” 489.

⁵⁰ Marc Lacey, “Drug Gangs Use Violence to Sway Guatemala Vote,” *New York Times*, August 4, 2007, sec. A.

of organized crime in the region. Many experts agree that “organized crime and drug trafficking are perhaps a bigger threat to democracy in Central America because they are intimately linked to the corruption of state officials, undermining already fragile states.”⁵¹

2. Ignoring Lessons Learned

Critics argue that government focus on *mano dura* policies overlooks lessons learned from places like Nicaragua, Costa Rica and Panama that have been successful in controlling the youth gang problem. Nicaragua has gangs and drug dealing issues, “but cliques of MS-13 and the 18th Street Gang are not present, and Nicaraguan gangs are less violent and engaged in less criminal activity than gangs in neighboring countries.”⁵² The same pattern is present in Costa Rica and Panama. In all three countries, where “gang membership and violence are dramatically lower, authorities have focused on crime-prevention programs within families, schools, and communities.”⁵³

3. Lack of Government Resources and Coordination

Another problem is that governments have failed to dedicate resources and efforts to deal with the socio-economic conditions that are the root causes driving young people to join the *maras* and engage in violent crime. In Guatemala, El Salvador and Honduras, “social service budgets are too small to offer attractive alternatives to idle youth.”⁵⁴ Meanwhile, family violence and common street crime remain major factors in exposing youths to violence. Ivan Estuardo Garcia, of the United Nations Development Project in Guatemala, argues that “the lack of employment opportunities, educational facilities and recreational spaces is putting 2 million more youths at risk of joining gangs.”⁵⁵ As

⁵¹ Congressional Quarterly, “CQ Congressional Testimony: Violence in Central America,” 3. Quote is from the testimony of Geoff Thale, Program Director of the Washington Office on Latin America (June 26, 2007).

⁵² Ibid.

⁵³ Indira A. R. Lakshmanan, “Gangs Roil Central America; Troubles Linked To US Deportees,” *Boston Globe*, April 17, 2006, A1.

⁵⁴ Ibid.

⁵⁵ Adam Thomson, “Bodies Pile Up As Organized Crime Grips Guatemala; Neighbouring Countries Are Worried As Lack of Opportunity and Illegal Drugs Money Fuel Gang Recruitment,” *Financial Times*, April 19, 2007, 8.

unemployment and underemployment permeate the lower strata of society, they perpetuate severe income inequality in the region. This presents a major danger as “scholars have identified income inequality as the strongest predictor of violent crime rates. Central America, along with Southern Africa and South America, is one of the most unequal regions in the world.”⁵⁶

Lack of coordination between agencies and programs combines with insufficient resources to frustrate attempts to deal with socio-economic causes of violence. This has resulted in Non-Governmental Organizations (NGOs) and other activists often running programs with little or no cooperation from the local governments. Even worse, in places like Guatemala, “there are threats and attacks on human rights activists and defenders and, in many countries, electoral contests generate politically motivated violence.”⁵⁷ A vivid illustration of the need for greater coordination and accountability is the blame game that occurred in El Salvador in 2006: “the police blamed the judicial system for failing to successfully prosecute those arrested; the judiciary decried the overcrowding of the prisons; the leftist FMLN opposition party blamed ARENA [the ruling party], and so on.”⁵⁸

The government’s failure to allocate sufficient resources stems from the inability to raise sufficient tax revenue. In Guatemala, the government collects taxes approximating “10 percent of gross domestic product, one of the lowest in Latin America, and while collection is improving, passing far-reaching fiscal reform has so far proved impossible.”⁵⁹ Guatemala’s situation reflects “the reticence of certain factions within the organized private sector to increase direct taxes and the lack of consensus among the major political parties on other taxation issues.”⁶⁰ Some progress has been

⁵⁶ Ledermann D. et al., “Determinants of Crime Rates in Latin America and the World,” World Bank (October 1998). See also: Pablo Fajnzylber, Daniel Lederman and Norman Loayza, “Crime and Victimization: An Economic Perspective,” *Economía* 1, no. 1 (2000): 219-178.

⁵⁷ Congressional Quarterly, “CQ Congressional Testimony: Violence in Central America,” 2.

⁵⁸ “El Salvador politics: New front in the war on crime,” *EIU ViewsWire*, Jan 26, 2007.

⁵⁹ Adam Thomson, “Bodies pile up as organized crime grips Guatemala,” 8.

⁶⁰ Dinorah Azpuru, “Peace and Democratization in Guatemala: Two Parallel Processes,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 121.

made to increase revenue and mobilize government resources: “a purge [in 2006] of the customs service, now run by better-trained staff is part of the reason.”⁶¹ In El Salvador, President Saca “agreed to increase the size and pay of the police force...strengthen its recently revamped witness protection programme and to expand the capacity of its dangerously overcrowded system.”⁶² Nevertheless, the collection of tax revenue remains a factor: “to pay for much of [these initiatives], the government is seeking permission from Congress to borrow U.S. \$100 million from the World Bank. Presently, raising taxes is not under consideration, say government officials.”⁶³ The situation underlines the fact that traditional elites are unlikely to lend support to tax increases.

4. Insufficient Foreign Assistance

Foreign assistance is unlikely to make up for lack of state resources. In El Salvador, for example, implementation of high-priority items stemming from the peace accords was estimated to cost a total of \$1.1 billion.⁶⁴ At the start of 1994, “the government of El Salvador and the international donors each had committed about \$300 million to high-priority peace programs, leaving a \$500 million funding gap.”⁶⁵ The gaps indicate that although foreign aid may serve as “an important complement to limited domestic resources...it can, however, also become a substitute for them,”⁶⁶ resulting in “lack of pressure on the national government to increase its mobilization of domestic resources.”⁶⁷

⁶¹ The Economist, “Before the Sunrise,” March 31, 2007, <http://www.economist.com>.

⁶² EIU ViewsWire, “El Salvador politics: New front in the war on crime,” January 26, 2007.

⁶³ Ibid.

⁶⁴ James K. Boyce, “Reflections,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 439.

⁶⁵ Ibid.

⁶⁶ Jenny Pearce, “Sustainable Peace-Building in the South: Experiences from Latin America,” *Development in Practice* 7, no. 4 (November 1997): 449.

⁶⁷ Jenny Pearce, “From Civil War to ‘Civil Society’: Has the End of the Cold War Brought Peace to Central America?” *International Affairs* 74, no. 3 (July, 1998): 601.

Insufficient or unbalanced funding continues to be a problem. The most recent aid package put forth by the U.S., *Iniciativa Merida*, “seeks to modernize law enforcement with a variety of high tech equipment for fingerprint databases and Internet-based investigation networks.”⁶⁸ However, the money distribution, approved in June 2008 provides a lot more aid to Mexico than to all of Central America: 400 million versus 65 million, respectively.⁶⁹ Reactions from Central American presidents range from disappointment by El Salvador’s Tony Saca, who felt that the Central American countries were getting “very little cash,” to outright concern by Guatemala’s Eduardo Stein, the outgoing Vice-president who argued that “you squeeze Mexico and everything will move to Central America, which lacks the capacity to deal with an increase in organized crime.”⁷⁰

5. Leaning on the Military

The lack of national and international resources has made it difficult to increase the size and training of the civilian police force at the same time that concerned citizens clamor for the government to attenuate crime. “Reinforcing police with troops is often an attractive option for governments faced with internal security challenges”⁷¹ such as those faced by Central American nations today. As David Pion-Berlin and Harold Trinkunas have pointed out, “in Latin America, civilians give the military domestic roles to compensate for state weakness and the deterioration of regime legitimacy.”⁷² “Since the police everywhere are overwhelmed by the *maras*, governments have no option but to put

⁶⁸ Manuel Roig-Franzia, “Central Americans See Peril in Bush’s Anti-Drug Priorities,” *Washington Post*, November 29, 2007 Regional Edition, sec. A.

⁶⁹ Manuel Roig-Franzia, “Anti-Drug Assistance Approved For Mexico: U.S. Lawmakers Responded To Counterparts’ Objections,” *Washington Post, Foreign Service*, June 28, 2008, A08.

⁷⁰ Latin American Weekly Report, “Saca Unimpressed With Size of U.S. Funding,” December 6, 2007, 15.

⁷¹ Benjamin R. Beede, “The Roles of Paramilitary and Militarized Police,” *Journal of Political and military Sociology* 36, no. 1 (Summer 2008): 58.

⁷² David Pion-Berlin and Harold Trinkunas, “Democratization, Social Crisis and the Impact of Military Domestic Roles in Latin America,” *Journal of Political and Military Sociology* 33, no. 1 (Summer, 2005): 6.

the troops back into the streets.”⁷³ Not surprisingly, faced with insufficient numbers of effectively trained police, corruption, lack of funds to increase the size and quality of the civilian police forces, and public frustration with rising violence, some Central American governments have integrated the military in the implementation of the rule of law.

The decision to employ the military as a supplement to the undermanned and insufficiently-equipped police forces contradicts civil-military theorists who warn that “military internal roles are detrimental to democracy...[because] domestic roles bolster the military politically and eventually lead to the overthrow of democratic governments.”⁷⁴ The potential for military intervention is magnified by the lack of resources appropriated to the national police forces. As Benjamin Beede has noted, “making the police independent of the army, but reducing their personnel levels and limiting police training, equipment, and weapons may simply open the door to army intrusion.”⁷⁵ Another concern is that “although current security problems may bring increased cooperation between police and military authorities, they may also bring increased conflict between them.”⁷⁶

Human rights advocates are concerned that the military is increasingly involved in police activities at the same time that *mano dura* legislation has “increased the arbitrary authority of police officers to arrest young people, in a region that has struggled to regulate police behavior to ensure respect for due process and human rights.”⁷⁷ Even in places without Central America’s troubled past, “detailing soldiers to law enforcement is a clumsy, often ineffective expedient, partly because soldiers almost always lack appropriate training. Therefore, they are inflexible in their behavior and are prone to overreacting in confrontations with the public.”⁷⁸ In addition to human rights concerns

⁷³ Thomas C. Bruneau, “The Maras and National Security in Central America,” *Strategic Insights IV*, no. 5 (May 2005), <http://www.ccc.nps.navy.mil/si/2005/May/bruneauMay05.asp>.

⁷⁴ David Pion-Berlin and Harold Trinkunas, “Democratization, Social Crisis and the Impact of Military Domestic Roles in Latin America,” *Journal of Political and Military Sociology* 33, no. 1 (Summer 2005): 5.

⁷⁵ Benjamin R. Beede, “The Roles of Paramilitary and Militarized Police,” 59.

⁷⁶ *Ibid.*, 60.

⁷⁷ Congressional Quarterly, “CQ Congressional Testimony: Violence in Central America,” 6.

⁷⁸ Benjamin R. Beede, “The Roles of Paramilitary and Militarized Police,” 54.

for many critics and NGOs, the use of the military for internal security undermines the achievements of the peace accords, and is effectively a rollback of policies implemented at the end of the civil wars, that sought to increase the legitimacy of the civil police by removing it from the circle of influence of the military “because of charges of corruption, extrajudicial killings, and military links to narco-trafficking.”⁷⁹

6. Failure to Reexamine the Transition Process and Its Effect on Security Forces

Using the military for internal security can negatively affect resources allocated for the police. Recently, Guatemala’s President Colom proposed a US\$292 million increase in the military budget to modernize the army in an effort to improve its “weak capacity to fight organized crime.”⁸⁰ This situation illustrates how, as the military assumes more responsibilities, its prerogatives increase, further challenging the police for money, personnel and equipment. The police must react by emphasizing that the military role should be temporary, so more effort and resources must be spent on strengthening the police forces.

The problem of violence in these countries requires the proper application of prevention, intervention, reintegration and suppression together with the compilation of reliable information in order to identify the areas that warrant the most attention and the approaches that are best suited for each particular case. No strategy for fighting crime will work, however, without professional and effective police forces. For this reason, a better understanding of the transitions in Nicaragua, El Salvador, and Guatemala is essential in order to understand how the military’s ability to affect the process of negotiation and implementation of reforms has defined the nature of today’s police forces, their professionalism and effectiveness.

⁷⁹ Thelma Mejia, “In Tegucigalpa, the Iron Fist Fails,” *NACLA Report on the Americas* (July 2007-August 2007): 3.

⁸⁰ César León, “Buscarán Aumentar Presupuesto Militar,” *Prensa Libre* (Guatemala), July 01, 2008, <http://www.prensalibre.com/pl/2008/julio/01/24797.html>.

II. NICARAGUA

A. THE NICARAGUAN ARMY PRIOR TO THE 1990 ELECTIONS: A SIZABLE AND CAPABLE INSTRUMENT OF REPRESSION

Under the Sandinista regime, the Nicaraguan Armed Forces assumed both external and internal security roles. The concept of external and internal security derived from the “72-Hour Document,” composed by the Sandinista leadership following their July 19, 1979 defeat of Anastacio Somoza. This document assumed an “inevitable confrontation with the United States, which would necessitate the consolidation of Sandinista domestic power with the backing of a large and heavily-armed Sandinista People’s Army (EPS).”⁸¹ Externally, the army concentrated on the problem of the contra-revolutionary forces (contras) opposing the Sandinista government and the ever-looming specter of an invasion by the United States. Internally, the security apparatus sought to carry out “normal peacetime internal security functions...[and] provide some margin of safety against possible counterrevolutionary activity coming from within or beyond Nicaragua’s borders.”⁸² The potential external and internal threats required a sizable and capable force.

External security was the responsibility of the (EPS), under the direction of the Ministry of Defense. To carry out this task, the EPS force grew from nearly 5,000 in July 1979 to 250,000 by 1989 (counting active duty, people’s militia, and reserves).⁸³ The large numbers were supported by a draft instituted in 1983 that brought “more than 150,000 youths...for two-year tours of duty”⁸⁴ into the army. Leaving out the militias, “at its peak strength in 1986, the EPS counted over 120,000 soldiers, some 75,000 of whom

⁸¹ Roger Miranda and William Ratliff, *The Civil War In Nicaragua: Inside the Sandinistas* (New Brunswick: Transaction Publishers, 1993), 5.

⁸² Thomas W. Walker, “The Armed Forces,” in *Revolution & Counterrevolution in Nicaragua*, ed. Thomas W. Walker (Boulder: Westview Press, 1991), 81.

⁸³ Roger Miranda and William Ratliff, *The Civil War In Nicaragua*.

⁸⁴ Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 2nd ed. (Albuquerque: The Inter-Hemispheric Education Resource Center), 51.

were enlistees or draftees on active duty.”⁸⁵ Much of the core element of the force was well trained, with some members receiving training in the Soviet Union and Cuba. Additionally, these and other countries provided foreign advisors to enhance training within Nicaragua. At one point, Nicaragua hosted “between 2,500 and 3,000 Cuban and other Soviet-bloc security personnel, and an equal number of civilian advisers...[that] helped set up a highly efficient intelligence and police apparatus.”⁸⁶ One example of foreign training assistance is the development of the elite Pablo Ubeda Troops (TPU), consisting of nearly five hundred troops “trained in commando and antiterrorist operations by Vietnamese instructors.”⁸⁷ Strategically, the Sandinistas’ concern with a possible invasion from the United States led them to keep “the regular army in or around the major urban areas to serve as a deterrent to invasion while, in effect, leaving local militia to deal with the contras.”⁸⁸ This resulted in a localized, community approach to security. In addition to countering the counterrevolutionary threat, government control in the cities left little social space for criminal organizations to emerge.

The task of providing internal security fell to the Ministry of Interior (MINT), led by Tomás Borge, and composed of the police (numbering less than 10,000 by the time of the 1990 elections),⁸⁹ and State Security forces (numbering 4,000 members by the mid-1980s).⁹⁰ State Security “maintained surveillance of potentially subversive groups and broke them up when they began to embark on subversive activities.”⁹¹ Additionally, MINT shared control of the Sandinista People’s Militias (MPS) with the Ministry of Defense.⁹² Militia membership has been estimated to run “from between a few tens of

⁸⁵ David Close, *Nicaragua: The Chamorro Years* (Boulder: Lynne Rienner Publishers, 1999), 102.

⁸⁶ Linda Robinson, *Intervention of Neglect: The United States and Central America Beyond the 1980s* (New York: Council On Foreign Relations Press, 1991), 15.

⁸⁷ Roger Miranda and William Ratliff, *The Civil War In Nicaragua*, 26.

⁸⁸ Thomas W. Walker, “The Armed Forces,” 88.

⁸⁹ La Prensa, “Contras, Nuevos Policías: 150 Desalzados a Imponer la Ley,” June 28, 1990, 1.

⁹⁰ Roger Miranda and William Ratliff, *The Civil War In Nicaragua*, 190.

⁹¹ Thomas W. Walker, “The Armed Forces,” 84.

⁹² *Ibid.*, 81.

thousands to at least 100,000”⁹³ at different times. Like the army, MINT received foreign organizational and training assistance: Borge’s ministry, “closely coached by its Cuban counterpart and unfettered by the niceties of a democratic judicial system, worked relentlessly to prevent a contra foothold in the cities.”⁹⁴ MINT was largely successful in this mission, owing to the fact that it “grew enormously larger and more pervasive under the Sandinistas than its counterpart had been under Somoza.”⁹⁵

In addition to army and MINT forces, the Sandinistas counted on “a vast network of informers.”⁹⁶ This network consisted of “vertically structured mass organizations of workers, youth, women, and others; the Sandinista Defense Committees [CDS], directly modeled on the Cuban Committees for the Defense of the Revolution; as well as informal groups.”⁹⁷ Among the many functions of these mass organizations was vigilance.⁹⁸ Principal amongst them, the CDS served as “a sort of neighborhood crime watch that spectacularly reduced the incidence of common violence and petty crime.”⁹⁹ The CDS also served to bring the presence of the state to more isolated areas by substituting “for local government in many cases, dispensing ration cards as food became scarce or relaying information about government policies.”¹⁰⁰

The Sandinista Police (PS) was developed in late 1979 as a supplement to internal security forces. Prior to the Sandinistas taking power, “the National Guard had performed police services,”¹⁰¹ so the new force had to be developed from scratch. Initial training assistance from Panama and Cuba helped to develop the force with hundreds

⁹³ Thomas W. Walker, “The Armed Forces,” 86.

⁹⁴ Glenn Garin, *Everybody Had His Own Gringo: The CIA & the Contras* (Washington: Brassey’s (US) Inc., 1992), 176.

⁹⁵ Roger Miranda and William Ratliff, *The Civil War In Nicaragua*, 189.

⁹⁶ U.S. Department of State, *Nicaragua’s Interior Ministry: Instrument of Political Consolidation*, (Washington, D.C.: GPO, 1987), 176.

⁹⁷ Roger Miranda and William Ratliff, *The Civil War In Nicaragua*, 169.

⁹⁸ Thomas W. Walker, *Nicaragua: The Land of Sandino*, 3rd ed. (Boulder: Westview Press, 1991), 127.

⁹⁹ Ibid.

¹⁰⁰ Linda Robinson, *Intervention or Neglect*, 12.

¹⁰¹ Tim Merrill, ed. *Nicaragua, A Country Study*, (Washington: GPO, 1993), 216.

receiving training at the Panamanian police academy.¹⁰² Later training consisted of an eight-month course that “included a heavy dose of military training because in a national emergency the PS was expected to perform a support role in national defense.¹⁰³ Although the force was small, it was supplemented with “Revolutionary Vigilance Patrols organized by neighborhood Sandinista Defense Committees.[that] conducted nighttime walks through neighborhoods and tended to discourage community crime.”¹⁰⁴ Access to Sandinista mass organizations resulted in a network of “nearly 1,600 local committees with more than 12,000 community volunteers working with the 1,500 police [that] created an early warning system,”¹⁰⁵ increasing effectiveness against criminal activity.

The sizable Sandinista army, State Security, and network of informants succeeded in curtailing crime, preventing the growth of internal counter-revolutionary efforts, and denying the contras any substantial military achievements. As a result of this success, and decreased international support for the contras, the army was well positioned to defend its prerogatives during the transition to democratic rule following the election of Violeta Chamorro as president in 1990.

B. THE NICARAGUAN ARMY IN THE TRANSITION: NEGOTIATING FROM A POSITION OF STRENGTH

The relatively strong position of the army vis-à-vis the contras and Violeta Chamorro’s *Unión Nacional Opositora* (UNO) party after the elections allowed it to negotiate favorable terms of transition that maintained the integrity and core competence of existing security forces. This strength resulted from the divided camps within UNO and the contras that presented a fractured opposition. Additionally, the Sandinistas were quick to regroup following their electoral defeat and passed legislation to protect their interests prior to the transfer of power. One such piece of legislation was the General

¹⁰² Tim Merrill, ed. *Nicaragua, A Country Study*, 216.

¹⁰³ *Ibid.*, 217.

¹⁰⁴ *Ibid.*

¹⁰⁵ USAID, *Central America and Mexico Gang Assessment*, (April 2006), 7, http://www.usaid.gov/locations/latin_america_caribbean/democracy/gangs_cam.pdf.

Amnesty and National Reconciliation Law providing “‘full and unconditional amnesty’ to those who had committed crimes ‘against the public order and the internal or external security of the state.’ This covered both Sandinistas and resistance fighters, and it was justified as a means of forestalling political reprisals.”¹⁰⁶ Other Sandinista interests were protected through additional laws enacted to address civil service, labor, media, university and property concerns.¹⁰⁷ The Sandinistas’ actions reflected their fear of reprisals for the abuses of the 1980s which generated the belief that “if they did not maintain their grassroots organizations and at least some control over the armed forces, their very lives would be at risk.”¹⁰⁸

The contras were much weakened by the time of the transition. Their fractured organization had yielded minimal military achievements in the war against the Sandinistas. The Tela accord of 1989, “in which Central American leaders agreed to deny territorial access to irregular forces and to set up internationally sponsored demobilization procedures, pulled the rug out from under contra forces that had operated freely in Honduras and Costa Rica.”¹⁰⁹ The 1990 elections further weakened the contras by removing “all possibilities for maintaining themselves as an opposition military force and conducting a systematic peace negotiation.”¹¹⁰ Although they were “encouraged by the Bush administration to build a strong rhetorical alliance with [UNO],”¹¹¹ they played a minor role in the initial transition process as the Sandinistas and UNO negotiated the protocol of agreement for the transfer of power. Illustrating their internal divisions and their inability to act as an effective political front, “each of the major [contra] groups wound up negotiating a separate peace with the Chamorro government”¹¹² after the transition.

¹⁰⁶ David Close, *Nicaragua: The Chamorro Years*, 50.

¹⁰⁷ *Ibid.*, 49.

¹⁰⁸ Thomas W. Walker, *Nicaragua: The Land of Sandino*, 58.

¹⁰⁹ Rose J. Spalding, “From Low-Intensity War to Low-Intensity Peace: The Nicaraguan Peace Process,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 36.

¹¹⁰ *Ibid.*, 37.

¹¹¹ *Ibid.*, 36.

¹¹² *Ibid.*, 39.

UNO did not present a more united front. There were divisions within those who wanted to punish the Sandinistas and the moderates who wanted a more conciliatory approach. President Chamorro understood that one of the biggest challenges for Nicaraguan democracy was “what to do with the still powerful Sandinistas who, after all, controlled the armed forces.”¹¹³ Chamorro believed the best approach was reconciliation. As a result, “the Sandinistas were allowed to control the armed forces, the police and several government posts.”¹¹⁴ The moderates in the new government envisioned a post transition situation in which “the structures, institutions, and constitutional order erected while the Sandinistas had been in power would be left in place, including the armed forces.”¹¹⁵ The critical stage addressing these concerns was the negotiation for a transition protocol that would guide the transfer of power to the new government.

The army was well represented at these negotiations as the Sandinista negotiating team “was led by General Humberto Ortega, the president’s brother and Nicaragua’s chief of defense staff...[and included] Major General Joaquín Cuadra, the military’s second in command.”¹¹⁶ The UNO negotiators were led by “Antonio Lacayo, Chamorro’s son-in-law...much to the dismay of the more committed anti-Sandinistas. His team included Carlos Hurtado and Luis Sanchez, both associated at that time with the alliance’s accommodationist wing.”¹¹⁷

The army and the Sandinistas fared well: “the essence of the pact, signed on March 27 after a month of tense negotiations, was respect for the existing constitutional order, including the state apparatus and armed forces which had been built up since 1979.”¹¹⁸ Ortega remained in charge of the army and René Vivas, a Sandinista, retained

¹¹³ Thomas W. Walker, *Nicaragua: The Land of Sandino*, 58.

¹¹⁴ Julio Montes, “*Nicaragua in Crisis*,” *Jane’s Intelligence Review* (01 January 1994), http://www8.janes.com/JDIC/JMSA/documentView.do?docId=/content1/janesdata/mags/jir/history/jir94/jir00223.htm@current&pageSelected=&keyword=&backPath=http://jmsa.janes.com/JDIC/JMSA&Prod_Name=JIR&activeNav=http://www8.janes.com/JDIC/JMSA

¹¹⁵ Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 25.

¹¹⁶ David Close, *Nicaragua: The Chamorro Years*, 45.

¹¹⁷ *Ibid.*

¹¹⁸ Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 40.

leadership of the National Police.¹¹⁹ UNO received three concessions: security forces were depoliticized, the president “would have exclusive authority for naming the Ministers of Defense and Interior, thus bringing these institutions under civilian control...[and] the EPS would be significantly reduced in size.”¹²⁰ Although the army would be reduced, the strong negotiating position of the Sandinistas allowed for a preservation of the more capable members of the institution as well as other parts of the security apparatus.

C. AFTER THE TRANSITION: AN EFFECTIVE SECURITY APPARATUS PRESERVED

The Sandinistas’ legislative moves and transition protocol negotiations prior to the transfer of power allowed them to preserve the integrity and core capabilities of the effective security apparatus they had created. A Sandinista decree enacted prior to Chamorro’s inauguration diminished the authority of the Defense Minister by handing powers from the defense minister to the army’s chief of staff. As a result of this decree, “even though Chamorro announced the military would be cut in half by the end of 1990, Humberto Ortega would be in charge of selecting those to be dismissed.”¹²¹

Illustrating Ortega’s influence, “on June 11, 1990...Ortega delivered to President Chamorro a new plan for EPS [army] troop reductions.”¹²² Chamorro directed the appropriate troop levels, but the Sandinistas controlled the details of implementation. This allowed them to conform to troop reductions in a manner that maintained the more capable core in place while the majority of reductions would initially come from draftees and the reserves. As a result “even with the reductions...the army [remained] a Sandinista stronghold”¹²³ in 1991. Ortega continued to exert his influence until 1995, when he stepped down as head of the armed forces.

¹¹⁹ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 392-393.

¹²⁰ Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 53.

¹²¹ Linda Robinson, *Intervention or Neglect*, 52.

¹²² Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 53.

¹²³ Linda Robinson, *Intervention or Neglect*, 145.

The remaining security apparatus was transferred or modified to maintain capabilities. In addition to retaining control of the police under Vivas, the Sandinistas moved to preserve the capabilities of the Interior Ministry (MINT). This was accomplished by transferring State Security forces to the army.¹²⁴ The General Directorate for State Security (DGSE) “along with 1,200 of its 1,700 members, was transferred to the army and renamed the Directorate of Defense Information (DID)...believed to conduct both military intelligence and internal intelligence gathering.”¹²⁵ Additionally, “Borge’s feared secret police was absorbed into the military’s intelligence unit.”¹²⁶ This was a coup for Ortega who had often competed with Borge for influence. Furthermore, the Sandinistas preserved their mass organizations, ensuring that security forces retained access to a vast network of informers.

The Sandinista Police was renamed the National Police and efforts were made to demilitarize and depoliticize the institution. The uniform was changed “to regulation blue from a more militaristic beige and olive green...and 450 demobilized contra fighters were integrated in stages. Hundreds of Sandinistas who could not work side by side with past foes left voluntarily,”¹²⁷ but the majority of the former force remained in place. Additionally, the police benefited from an increase in personnel, improved training, more stringent admissions requirements for the police academy, and a revised curriculum of instruction developed by a civilian-led task force.

Today, human rights training is part of the initial curriculum for cadets and the police academy offers several programs tailored for different specialties. Cadets must have completed a minimum of three years of high school and undergo a selection process. The basic course lasts one year and trains cadets to carry out tasks as regular police, traffic police and detainee control officers. Upon completion of the course, cadets

¹²⁴ Roger Miranda and William Ratliff, *The Civil War in Nicaragua*, 276.

¹²⁵ Kent Norworthy and Tom Barry, *Nicaragua: A Country Guide*, 218-219.

¹²⁶ Linda Robinson, *Intervention or Neglect*, 52.

¹²⁷ Julia Preston, “Managua Journal; Born Out of War, Nicaragua’s Police Keep the Peace,” *The New York Times*, February 22, 1996, <http://query.nytimes.com/gst/fullpage.html?res=9804E2DE1039F931A15751C0A960958260&sec=&spon=&pagewanted=all>.

also receive the equivalent of a high school technical degree, thus increasing their academic level. Additionally, the academy offers a four-year degree in Police Science for officers, sector chiefs and municipal chiefs. A two-year master's degree in Police Management as well as 6-month postgraduate certificates in police administration, quality control and criminal investigation completes the academic offerings.¹²⁸

In addition to an increase in force strength, retaining experienced personnel, improved training, and a higher quality of recruits the police retained access to the previous Sandinista mass organization and community networks producing a high level of “confidence and contact between the local communities and police.”¹²⁹ A recent study by Demoscopia credits the Nicaraguan police for implementing successful prevention programs for at-risk youth, coordinating their efforts with civil society and community organizations, and including ex-gang members in prevention efforts.¹³⁰ This is an important factor in the Nicaraguan police's effectiveness against gangs, since the Demoscopia study concludes that community centered measures provide the best results in preventing youths from embarking in criminal activities or joining gangs.¹³¹ Highlighting the professionalism and community relations effort of the police, a survey concluded in December 2005 revealed that 64% of the public saw the police as “usually professional,” 17 percent as “very professional,” and only 15 percent saw them as “not professional.”¹³²

¹²⁸ Training and curricular data from the Nicaraguan Police Academy website, <http://www.policia.gob.ni/index.html>

¹²⁹ USAID, *Central America and Mexico Gang Assessment* (April 2006), http://www.usaid.gov/locations/latin_america_caribbean/democracy/gangs_assessment.pdf.

¹³⁰ Demoscopia S. A., *Maras y Pandillas, Comunidad y Policía en Centroamérica*, (October 2007), 5, 11, 94.

¹³¹ *Ibid.*, xxix.

¹³² Elizabeth Romero, “Policia Pierde Puntos en Opinion Ciudadana,” *La Prensa*, December 21, 2005, <http://www.laprensa.com.ni/archivo/2005/diciembre/21/nacionales/nacionales-20051221-06.html>.

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III. EL SALVADOR

A. THE ARMY OF EL SALVADOR PRIOR TO THE PEACE ACCORDS: LOSING THE SUPPORT OF THE ELITE

Prior to the signing of the peace accords in El Salvador, internal security was the responsibility of “three branches of the armed forces...the National Police and the Treasury Police, which operated primarily in urban areas, and the National Guard, which operated in rural areas.”¹³³ A National Intelligence Directorate supported the 60,000 strong security personnel in 1991.¹³⁴ Overall, “the security forces had extremely poor investigative skills and lacked the most basic skills for protecting, recording, and using evidence.”¹³⁵ Despite the large number of this force, its ineffectiveness was reflected by “one of the highest national homicide rates in the world—roughly five times the homicide rate in the average large city in the United States.”¹³⁶

Support for the army had diminished amongst the country’s elite in the 1980s. It began to erode “when the armed forces carried out a major land reform in 1980, expropriating the largest properties in the country.”¹³⁷ The army had also become a competitor to business elites: “between 1980 and 1989, the army increased its size four times over, achieving financial development with interests of its own,”¹³⁸ at times competing with civilian businesses. Political and business leaders became conscious of the economic costs of the war. After his election in 1989, President Cristiani, and “his moderate business colleagues recognized the impossibility of economic recovery without

¹³³ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 394.

¹³⁴ U.S. Department of State, *Military Expenditures, Armed Forces, GNP, Central Government Expenditures and Population, 1987-1997*, http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table1.pdf.

¹³⁵ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 394.

¹³⁶ *Ibid.*

¹³⁷ Mark Peceny and William Stanley, “Liberal Social Reconstruction and the Resolution of Civil Wars in Central America,” *International Organization* 55, no.1 (Winter 2001): 164.

¹³⁸ Tommie Sue Montgomery, *Revolution in El Salvador: From Civil Strife to Civil Peace* (Boulder: Westview Press 1995), 2.

a resolution of the war.”¹³⁹ Their pragmatic view created the opening for negotiations that would culminate in the January 16, 1992 signing of the peace accords in Mexico City at Chapultepec.

B. NEGOTIATIONS: REFORMING THE ARMED FORCES

The Salvadoran armed forces held a weak negotiating position at the end of 1989. Although the army had fought the FMLN to a stalemate, the army’s credibility and moral standing suffered a severe blow as a result of a major FMLN offensive and its aftermath. This offensive, launched in November 1989, “had a decisive outcome on the shape of the negotiated settlement.”¹⁴⁰ As noted by the Los Angeles Times, “the offensive of the FMLN showed that it [was] a strong force that [could not] be defeated militarily.”¹⁴¹ For the elites, “the FMLN’s offensive had the effect of reinforcing the beliefs...that economic recovery and the maintenance of public support would require a negotiated end to the conflict necessitating compromise and concessions on both sides.”¹⁴² More importantly, “for the Bush administration, U.S. military advisers, and the Salvadoran army and government, the November offensive destroyed whatever illusions existed that the FMLN was fading away as a military threat.”¹⁴³

In the biggest misstep of all, members of the army’s Atlacatl rapid-reaction infantry battalion--acting on orders from the army’s high command--murdered “six Jesuit priests and two coworkers on 16 November 1989, during the FMLN’s offensive, [creating] the most important crisis for U.S. policy in El Salvador in a decade.”¹⁴⁴ The investigation into these murders became “the subject of ongoing monitoring by a U.S.

¹³⁹ Tommie Sue Montgomery, *Revolution in El Salvador*, 215.

¹⁴⁰ Cynthia J. Arnson, “Introduction,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 15.

¹⁴¹ Hugh Byrne, *El Salvador’s Civil War: A Study of Revolution* (Boulder: Lynne Rienner Publishers, 1996), 163.

¹⁴² *Ibid.*, 175.

¹⁴³ George R. Vickers, “The Political Reality After Eleven Years of War,” in *Is There a Transition to Democracy in El Salvador?*, eds. Joseph S. Tulchin and Gary Bland (Boulder: Lynne Rienner Publishers, 1992), 36.

¹⁴⁴ Hugh Byrne, *El Salvador’s Civil War*, 179.

Congressional task force, [and] served to maintain congressional pressure to an unprecedented extent.”¹⁴⁵ At one point, the U.S. Congress “cut 50 percent of the military aid to El Salvador and conditioned the remainder on progress in the Jesuit murder investigation and the peace talks.”¹⁴⁶ Additionally, “the Jesuit case weakened dramatically the position of the Salvadoran armed forces in the government’s negotiations with the FMLN.” These incidents and the erosion of elite and U.S. support, relegated the armed forces to a defensive posture during the negotiations. As a result, “the interest of the Salvadoran armed forces lay in guaranteeing its continued existence as an institution and it appears to have been willing (or forced) to concede much so long as the institution continued.”¹⁴⁷

The FMLN bargaining position improved as the 1989 offensive showed that, although the guerrillas were “unable to defeat the army in major battles, [they] could hold the economy hostage indefinitely through sabotage.”¹⁴⁸ Even though the offensive had demonstrated to the FMLN that the people would not join a massive uprising against the government, they understood the economic leverage their military capabilities gave them, particularly with regards to the Cristiani government’s concerns to develop the country’s economy and solidify popular support for future elections.

Despite their strong bargaining position, the FMLN did not present a completely united front, as there was disagreement during the negotiations. One of their negotiators, Salvador Samayoa, “reported that debate within the FMLN and its constituent parties was far more difficult than negotiating with the government.”¹⁴⁹ Additionally, the government followed a strategy of “conceding the minimum amount of change in political, military, social, and economic structures and arrangements in order to win the

¹⁴⁵ Teresa Whitfield, “The Role of the United Nations in El Salvador and Guatemala: A Preliminary Comparison,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 266.

¹⁴⁶ Tommie Sue Montgomery, *Revolution in El Salvador*, 29.

¹⁴⁷ Hugh Byrne, *El Salvador’s Civil War*, 178.

¹⁴⁸ Mark Peceny and William Stanley, “Liberal Social Reconstruction and the Resolution of Civil Wars in Central America,” *International Organization* 55, no. 1 (Winter 2001): 165-166.

¹⁴⁹ Hugh Byrne, *El Salvador’s Civil War*, 189.

demobilization of the FMLN and an end to the war.”¹⁵⁰ Nevertheless, “El Salvador’s civilian leaders, along with the FMLN, used the peace process to reform the armed forces and diminish the preeminent political and internal security role it had played in the past.”¹⁵¹ This was essential in order to guarantee the safety of demobilized combatants and open up the necessary space for the FMLN to function as a legitimate political party. In order to achieve these concessions, the FMLN relegated socioeconomic demands to the back of the priority list as “part of what would be contested subsequently in the electoral arena.”¹⁵²

C. AFTERMATH: A SECURITY FORCE IN TRANSITION

The first obstacle the Salvadoran internal security forces faced after the peace accords involved personnel issues. The army did not have control over who would be retained or expelled from the security forces, resulting in the removal of experienced and capable personnel. Further reducing the experience level, the accords stipulated that the new police force (PNC) would be manned as follows: “20 percent of the new force members [would be] qualified former FMLN combatants, 20 percent former National Police and the remainder civilian.”¹⁵³ As a result, 80% of the new force would have little to no experience, coming right out of training at the newly instituted police academy.

The Chapultepec accords also called for a purge of personnel by “establishing independent commissions to identify those responsible for major human rights abuses and to purge the army of its most serious human rights violators.”¹⁵⁴ The peace agreement “stipulated that all Salvadoran armed forces officers would be evaluated by an ad hoc commission composed of three prominent Salvadorans...[and] empowered the commission to recommend the discharge or transfer of officers reviewed.”¹⁵⁵ The

¹⁵⁰ Hugh Byrne, *El Salvador’s Civil War*, 178.

¹⁵¹ Cynthia J. Arnson, “Introduction,” 8.

¹⁵² *Ibid.*, 20.

¹⁵³ Tommie Sue Montgomery, *Revolution in El Salvador*, 237.

¹⁵⁴ *Ibid.*, 226.

¹⁵⁵ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 395.

commission reviewed senior officers and provided a report “which included over 100 unpublished names, [and] was delivered in late October 1992 to U.N. Secretary General Boutros Boutros-Ghali and President Cristiani. The named officers were to be removed within sixty days.”¹⁵⁶

The government tried to get around the ad hoc commission’s recommendations to remove these officers from the force. Rather than being removed, “according to a January 7, 1993, letter from Boutros-Ghali to the Security Council president, 23 officers had been cashiered; 25 transferred to other military posts in the country; [and] 38 placed on leave without pay until they retired in no more than six months.”¹⁵⁷ Several others received different options: the Vice Minister of Defense “was allowed to stay until his retirement on March 1; seven were sent into ‘golden exile’ as military attachés abroad; [and] eight, including Defense Minister Ponce, were scheduled to remain on active duty until May 1994.”¹⁵⁸ Despite many delays and deal making, the ‘golden exile’ officers and those scheduled to serve until 1994 were retired in June 1993.¹⁵⁹

The armed forces were reduced from 60,000 in 1991, to 30,000 in 1992, and 15,000 by 1999. Today, the armed forces number 14,100.¹⁶⁰ The National Guard, Treasury Police and National Police were disbanded. Most members of the Special Investigative Unit (DIU) and the Executive Anti-Narcotics unit (UEA) were gone from the force by March 1995,¹⁶¹ forcing the government to “start from scratch to develop new investigative units.”¹⁶² The reorganization of elite units is important, because “it has been demonstrated that elite units such as those dedicated to fighting narco-traffic and kidnappings have generated a high level of effectiveness as a result of the political

¹⁵⁶ Tommie Sue Montgomery, *Revolution in El Salvador*, 241.

¹⁵⁷ Ibid., 241-242.

¹⁵⁸ Ibid., 242.

¹⁵⁹ Ibid.

¹⁶⁰ U.S. Department of State, *Military Expenditures, Armed Forces, GNP, Central Government Expenditures and Population, 1987-1997*, http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table1.pdf.

¹⁶¹ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 403.

¹⁶² Tommie Sue Montgomery, *Revolution in El Salvador*, 403.

support and greater resource allocation enjoyed by these units.”¹⁶³ Additionally, the accords dissolved the intelligence wing of the military,¹⁶⁴ leaving the new police force without access to an effective information network. Furthermore, internal security ceased to be one of the “constitutional responsibilities of the army; except under exceptional circumstances and subject to recall by the legislature.”¹⁶⁵

The net result of these reforms was a 75% reduction in the number of personnel carrying out internal security responsibilities. A National Defense University study calculates that “the end of the war reduced the overall forces of vigilance from roughly 75,000 to around 6,000.”¹⁶⁶ This sizable reduction in forces was not accompanied by a proportional increase in police forces—today, the PNC in El Salvador numbers 21,000 personnel, with 4,624 performing administrative support duties and 16,376 actual police.¹⁶⁷

Compounding the personnel problem, the quality of initial recruits was lacking. Former FMLN applicants “did not have the necessary educational requirements [and] in exchange for the government bypassing educational standards, the FMLN agreed to include members from the Treasury Police and the National Guard in the new police force.”¹⁶⁸ The government rationalized the attempt to keep some of the former personnel as a way to minimize the security void created by the massive force reductions. Facing

¹⁶³ Edgardo A. Amaya Cobar, “Quince Años de Reforma Policial en El Salvador: Avances y Desafíos,” *Urvio, Revista Latinoamericana de Seguridad Ciudadana*, no. 2 (September 2007): 139. See also: Edgardo Amaya Cobar y Oswaldo Feusier, *Relación Entre la Fiscalía General de la República y la Policía Nacional Civil en el Marco de la Investigación Criminal* (San Salvador: FESPAD Ediciones, 2005).

¹⁶⁴ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 395.

¹⁶⁵ Gary Bland, “Assessing the Transition to Democracy,” in *Is There a Transition to Democracy in El Salvador?*, ed. Joseph S. Tulchin and Gary Bland (Boulder: Lynne Rienner Publishers, 1992), 175.

¹⁶⁶ William Stanley and Robert Lossle, “El Salvador: The Civilian Police Component of Peace Operations,” in *Policing the New World Disorder: Peace Operations and Public Security*, eds. Robert B. Oaklyey, Michael J. Dziedzic and Eliot M. Goldberg (Washington, DC: National Defense University Press, 1998), 8.

¹⁶⁷ Observatorio Centroamericano Sobre Violencia (OCAVI), *Cuadro Comparativo de Indicadores Policiales en Centroamérica y el Caribe al 31 de Diciembre 2006*, http://www.ocavi.com/docs_files/file_402.pdf.

¹⁶⁸ Devere D. Woods Jr., David T. Skelton and Carlos E. Ponce, “The Origins and Development of the Policía Nacional Civil of El Salvador,” 4-5.

an increase in crime “the government steadily postponed or rescheduled planned demobilization of the old National Police on the grounds that crime was out of control.”¹⁶⁹ These government attempts to circumvent the accords met with significant international pressure at every occasion.

A lack of resources accentuated the experience gap in the new PNC. Training of the new force suffered delays from the outset. Initially, the military refused to give up a suitable site for the new Academia Nacional de Seguridad Publica (ANSP), and when they finally complied, “it first stripped the building of anything of value that could be removed, increasing the costs of preparing the site.”¹⁷⁰ The creation and implementation of a training curriculum for the new academy “took longer than anticipated, and the government initially failed to provide funds for recruitment, testing, students’ uniforms, food, stipends, and other operating costs.”¹⁷¹ Early classes were trained “without access to such basics as handcuffs, batons, fingerprinting sets, basic crime lab equipment, a photography lab, vehicles, a driving instruction track, adequate firearms, and a shooting range.”¹⁷² Due to these deficiencies, “some of the best training received by the new PNC...[took] place outside the country, particularly at an academy in Puerto Rico, where sixty officers received an accelerated training course as transitional commanders.”¹⁷³

Insufficient resources affected the initial deployment of PNC forces as “complaints about insufficient vehicles, radios, arms, and uniforms were heard in every police post from Chalatenango to La Unión.”¹⁷⁴ Some of the resources were held back as a result of the military holding back equipment needed for police operations.¹⁷⁵ Even though “the Vice-Ministry of Defense for Public Security had significant numbers of

¹⁶⁹ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 402.

¹⁷⁰ William Stanley and Robert Loosle, “El Salvador: The Civilian Police Component,” 12.

¹⁷¹ William Stanley, “International Tutelage and Domestic Political Will: Building a New Civilian Police in El Salvador,” *Studies in Comparative International Development* 30, no. 1 (Spring 1995): 38.

¹⁷² *Ibid.*, 39.

¹⁷³ *Ibid.*

¹⁷⁴ Tommie Sue Montgomery, *Revolution in El Salvador*, 240.

¹⁷⁵ Philip J. Williams and Knut Walter, *Militarization and Demilitarization in El Salvador’s Transition to Democracy* (Pittsburgh: University of Pittsburgh Press, 1997), 154.

trucks and portable radios...most were retained by the military. The National Police was left with only a few aging police cruisers, an insufficient number of trucks, and very few radios.”¹⁷⁶ These problems compromised the effectiveness of the new police force, as illustrated by the experience in San Vicente: according to an officer who took part in the first deployment of PNC units to the area, “When we arrived there was great publicity and the gangs disappeared. But when they discovered there were no vehicles or arms, they reappeared.”¹⁷⁷

Despite the challenges, delays, and training and equipment problems, “by mid-1995 the majority of the agreements signed between the government and the FMLN had been carried out, although the process involved a great deal of struggle and, at times, required outside intervention to move the process forward.”¹⁷⁸ The armed forces were significantly transformed. Much progress has been made from the early days of PNC deployment. Initially consisting of seven divisions (Public Security, Criminal Investigation, Borders, Finance, Arms and Explosives, Personality Protection, Environmental), the PNC added five new divisions in January 2000, consisting of Financial Crimes, Internal Affairs, Mounted Police, Scientific Police and INTERPOL.¹⁷⁹ Additionally, with assistance from international organizations, “the PNC has also generally improved its institutional capacity in recent years such as emergency response, investigations, strategic crime prevention planning, criminal records database management, and advanced police training.”¹⁸⁰ The police also developed “a 911 emergency response system that reportedly provides service to 65 percent of Salvadorans.”¹⁸¹

¹⁷⁶ William Stanley and Robert Lossle, “El Salvador: The Civilian Police Component,” 9.

¹⁷⁷ Philip J. Williams and Knut Walter, *Militarization and Demilitarization*, 240.

¹⁷⁸ Hugh Byrne, *El Salvador's Civil War*, 213.

¹⁷⁹ Immigration and Refugee Board of Canada, “El Salvador: The National Civilian Police,” 2.

¹⁸⁰ *Ibid.*

¹⁸¹ *Ibid.*

The police academy (ANSP) “was separated from the PNC and [reports] independently to government authorities rather than the PNC Director General.”¹⁸² A separate advisory board develops the educational curriculum and the academy continues to improve professional development of the force. In 2006, the academy instituted distance education modules that will enable new police officers to continue their development at the same time that they carry out their duties. The courses are administered by academy instructors and include such diverse topics as ethics, constitutional law, transit and highway security, criminology, institutional doctrine, crisis management, and special laws.¹⁸³ More modules are currently in development.

New admission standards have increased the quality of recruits. The initial requirement to have completed at least 9 years of schooling has been raised to require a high school diploma. The increased standards were necessary “after it became clear that educational deficiencies among some of the first graduates of the academy were interfering with their ability to learn the penal code and adopt correct procedures.”¹⁸⁴ Applicants must also be between 18 and 28 years old, and undergo testing and evaluation, including psychological evaluation, in order to qualify for the academy.

The PNC has also institutionalized checks and balances to guarantee the quality and performance of the force. Initial errors such as those noted by ONUSAL in 1994 which reported “that almost all ‘monitors’ responsible for internal discipline were former National Policemen”¹⁸⁵ have been corrected. Today, the force counts with Inspector General and Internal Auditing offices to oversee performance, accountability, and adherence to democratic policing norms.¹⁸⁶ Additionally, the government created a new Ministry of Public Security and Justice in 2006.¹⁸⁷

¹⁸² Washington Office on Latin America, “Sustaining Reform: Democratic Policing in Central America,” *Citizen Security Monitor* (October 2002): 3, http://www.wola.org/publications/security_monitor_policing_ca_10_02.pdf.

¹⁸³ “Curso de Ascenso a Cabos Cuenta con Nuevos Módulos Autoformativos,” *Visión Académica*, Año 5, no. 80 (August 2006): 9.

¹⁸⁴ William Stanley and Robert Loosle, “El Salvador: The Civilian Police Component,” 14.

¹⁸⁵ William Stanley, “International Tutelage and Domestic Political Will,” 39.

¹⁸⁶ Policía Nacional Civil, “Organigrama,” (<http://www.pnc.gob.sv/conocenos/nosotros.htm>).

¹⁸⁷ Clare Ribando Seelke, *CRS Report for Congress: Gangs in Central America*, 9.

El Salvador has emerged as a regional leader in the fight against gangs and narco-traffic. El Salvador and Guatemala “agreed to set up a joint security force to patrol gang activity along their common border.”¹⁸⁸ An International Law Enforcement Academy (ILEA) has been established in Santa Tecla, and the FBI “has created a special task force focusing on MS-13 and opened a liaison office in San Salvador to coordinate regional information-sharing and anti-gang efforts.”¹⁸⁹ With the support of U.S. Department of State, Bureau of International Narcotics and Law Enforcement (INL), the ILEA sponsors anti-gang workshops for law enforcement personnel from various countries in Central America.¹⁹⁰ A Transnational Anti-Gang unit (TAG), created by FBI/INL recently became operational and is composed of Salvadoran police and U.S. FBI agents. Given all the advances by the PNC, the Washington Office on Latin America (WOLA) considers police reforms in El Salvador “a success story.”¹⁹¹

Despite recent successes, the PNC is still working through the aftermath of the peace accords. The reduction of internal security forces by nearly 75%, the erosion of near-term capabilities resulting from the removal of experienced personnel, and the initial low-quality and insufficient training of new recruits are considerable challenges to surmount. As a result, the PNC today is a security force in transition, working to fill the security void that followed reforms. Thanks to improved training, better recruits, and few remaining members of the old force, the PNC exhibits a positive trend towards greater effectiveness, efficiency and accountability.

¹⁸⁸ Clare Ribando Seelke, *CRS Report for Congress: Gangs in Central America*, 12.

¹⁸⁹ *Ibid.*, 13.

¹⁹⁰ *Ibid.*

¹⁹¹ Washington Office on Latin America, “Sustaining Reform: Democratic Policing in Central America,” *Citizen Security Monitor* (October 2002), http://www.wola.org/publications/security_monitor_policing_ca_10_02.pdf.

IV. GUATEMALA

A. THE GUATEMALAN ARMY PRIOR TO TRANSITION: CORRUPTION AND CONTROL

The Guatemalan military numbered 44,000 personnel in 1993,¹⁹² and exerted considerable influence in the country as well as the government. The military retained considerable control of internal security through “special military units and an extensive paramilitary structure under military control.”¹⁹³ The influence of the armed forces in internal security was accompanied by a custom of intervening in governmental affairs, and corrupted the institution. Some military personnel took part in the drug trade, as illustrated by DEA files linking “active duty military personnel...with drugs-running operations,”¹⁹⁴ and “at the height of military corruption in the 1980s, officers had already gained control of the country’s major narcotics rings.”¹⁹⁵

The pattern of corruption continued through the 1990s “when many military officers opposed the peace negotiations [and] army involvement was widespread in criminal activities such as extortion, kidnapping, auto-theft rings, drug trafficking and timber contraband.”¹⁹⁶ In October 1996 “Guatemalan authorities broke up an organized

¹⁹² U.S. Department of State, *Military Expenditures, Armed Forces, GNP, Central Government Expenditures and Population, 1987-1997*, http://www.state.gov/www/global/arms/bureau_ac/wmeat98/table1.pdf.

¹⁹³ George R. Vickers, “*Renegotiating Internal Security: The Lessons of Central America*,” 397.

¹⁹⁴ Jane’s Intelligence Review, “High-Profile Arrests Highlight Guatemalan Trafficking Problems,” http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/mags/jir/history/jir2006/jir01402.htm@current&pageSelected=allJanes&keyword=high-profile%20arrests%20highlight%20guatemalan%20trafficking%20problems&backPath=http://search.janes.com/Search&Prod_Name=JIR&.

¹⁹⁵ Jane’s Sentinel Security Assessment, “Guatemala: Armed Forces,” http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/sent/cacsu/guats100.htm@current&pageSelected=allJanes&keyword=guatemala%20armed%20forces%20doctrine%20and%20strategy&backPath=http://search.janes.com/Search&Prod_Name=CACS&.

¹⁹⁶ Jane’s Sentinel Security Assessment, “Security: Guatemala,” http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/sent/cacsu/caca017.htm@current&pageSelected=allJanes&keyword=security%2C%20guatemala&backPath=http://search.janes.com/Search&Prod_Name=CACS&.

crime ring that included the vice minister of defense and other high-ranking military officers, top police officials, customs officers, and private businessmen.”¹⁹⁷ Corruption and abuse resulted in international isolation, prompting calls for change.

The military ruled Guatemala in the 1970s and the 1980s until the election of Christian Democrat Vinicio Cerezo in 1985. The democratic opening that allowed for the power transition to Cerezo resulted from “the wearing down of the military governments, which faced the country’s growing economic problems, the erosion of their traditional support from the organized private sector, and the beginning of protests from some social sectors, particularly the middle class.”¹⁹⁸ In addition to the loss of domestic support, the Guatemalan military government experienced eroding international support as the military’s repressive measures in their fight against the *Unidad Revolucionaria Nacional Guatemalteca* (URNG) resulted in human rights abuses that tarnished Guatemala’s image abroad, negatively affecting business and military interests.

In 1982, as the military-led Lucas administration was coming to an end, “Guatemala had become so isolated from the international community...that tourism and foreign investment revenues had plummeted.”¹⁹⁹ Decreased revenue and “rampant corruption among some in the military, directly affected the interests of some business sectors, which led the industrialists and some sectors of the middle class to question the government and to demand a more open political system.”²⁰⁰ Complicating things further for the military leaders, concern with human rights abuses led to the discontinuation of U.S. military assistance. These circumstances led the military to initiate “a controlled process of democratization [beginning with the Cerezo government] in part to burnish Guatemala’s image in the United States and the international community.”²⁰¹ The

¹⁹⁷ George R. Vickers, “Renegotiating Internal Security: The Lessons of Central America,” 400.

¹⁹⁸ Antonio Cañas and Héctor Dada, “Political Transition and Institutionalization in El Salvador,” in *Comparative Peace Processes in Latin America*, ed. Cynthia J. Arnson (Stanford: Stanford University Press, 1999), 103.

¹⁹⁹ Antonio Cañas and Héctor Dada, “Political Transition and Institutionalization,” 101.

²⁰⁰ *Ibid.*, 103.

²⁰¹ Mark Peceny and William Stanley, “Liberal Social Reconstruction and the Resolution of Civil Wars in Central America,” *International Organization* 55, no. 1 (Winter, 2001), 170.

process was advocated by proponents of the Thesis of National Stability, written by General Alejandro Gramajo, that sought “a way to overcome the guerrilla forces on all fronts, not just militarily...[and] to guarantee the survival of the armed forces in an increasingly hostile environment, where tremendous pressure for demilitarization exists.”²⁰² Thus, recognition by both military and civilians “that the costs of continuing the war were greater than the possibilities that might be realized through negotiation”²⁰³ led to the eventual peace negotiations.

B. NEGOTIATING FROM A POSITION OF STRENGTH

At the time of peace negotiations in Guatemala, “the guerrillas had been largely defeated as a military force,”²⁰⁴ leaving the military in a strong negotiating position. The URNG counted on only “three thousand combatants, of whom only roughly five hundred were full-time fighters.”²⁰⁵ Additionally, the army retained considerable influence in government. In light of this influence, the transfer of power from President Cerezo to Serrano in 1991 was a substantial accomplishment as Cerezo had “faced substantial military encroachment on his authority, including several coup threats.”²⁰⁶ Nevertheless, despite their continued political meddling, the military’s support of a controlled transition to democracy further strengthened the armed forces’ standing with political elites. This position was reinforced by the army’s actions during the attempted self-coup of President Jorge Serrano in May 1993. Although “portions of the military initially supported Serrano...faced with both international and domestic resistance, top army leaders began looking for a way out. When the Constitutional Court called on the high command to reverse the coup, they did so.”²⁰⁷

²⁰² Emma G. Martinez, “Ramiro de León: the Military’s Dream?” *Revista Envío* no. 147 (October 1993): 5.

²⁰³ Cynthia J. Arnson, “Introduction,” 20.

²⁰⁴ *Ibid.*, 4.

²⁰⁵ Mark Peceny and William Stanley, “Liberal Social Reconstruction,” 174.

²⁰⁶ *Ibid.*, 171.

²⁰⁷ *Ibid.*

The government did achieve a stronger position by the time of negotiations as a result of “growing, if tenuous, efforts by civilian authorities to maximize their power vis-à-vis the armed forces.”²⁰⁸ After the transition to civilian rule in 1986, President Cerezo “made some changes in the military commanders, putting in leadership position officers whose strategic orientation was based not on the doctrine of national security but on a doctrine...[based on] the thesis of national stability.”²⁰⁹ The failed “self-coup” attempt by President Jorge Serrano generated intense dialogue “among business leaders, military officers, representatives of labor unions, indigenous groups and other civil organizations, legislators, and jurists”²¹⁰ resulting in the selection of Ramiro de León Carpio as interim president. These negotiations generated increased involvement and interest by all sectors of society in bringing about the conditions necessary for peace negotiations. Nevertheless, this increased influence was not strong enough. When Alvaro Raze assumed the presidency in 1996, his government “lacked the political hegemony to bring along elements of the business community, the armed forces, and other conservative sectors,”²¹¹ weakening his government’s ability to push its reforms during negotiations.

The URNG was in the worst position of all. Barely subsisting as a military force, the guerrillas “had only modest leverage at the bargaining table [and] this weakness contributed to the accord’s lack of specifics.”²¹² One effect was that “negotiations over internal security reforms occupied a relatively small amount of time (about two months), while negotiations over a social/economic accord dragged on for more than a year.”²¹³ The emphasis on socio-economic items reflects the strong position of the Guatemalan army to safeguard its prerogatives during the negotiations. Leaning on their favorable position, “the Guatemalan army refused to consider any kind of equivalent of the

²⁰⁸ Cynthia J. Arnson, “Introduction,” 21.

²⁰⁹ Dinorah Azpuru, “Peace and Democratization in Guatemala: Two Parallel Processes,” 105.

²¹⁰ Mark Peceny and William Stanley, “Liberal Social Reconstruction,” 171.

²¹¹ *Ibid.*, 174.

²¹² *Ibid.*

Salvadoran ad hoc commission that reviewed officers' records. It did agree to the creation of a 'commission to clarify the past'...prohibited from naming individuals responsible for abuses."²¹⁴

C. CORRUPTION PRESERVED

The strong negotiating position of the Guatemalan armed forces allowed them to effectively protect their interests. The result was a final agreement that "contained no provision for a military purge."²¹⁵ Furthermore, the accord "did not provide for any vetting of current members of the police, nor did it prevent military officers 'downsized' from the army from joining the police."²¹⁶ This critical omission, and the desire to expedite the creation of the new National Civilian Police (PNC), resulted in large numbers of the old forces remaining as part of the new security forces, perpetuating corrupt and abusive practices. International monitoring was insufficient because "in early 1997 the United Nations no longer had the resources available to deploy a multifunctional mission of the scale and size proportional to Guatemala that ONUSAL was to El Salvador in 1992."²¹⁷ Not surprisingly, given these conditions, President Arzú "built the 'new' institution [PNC] entirely around the existing police leadership, retaining almost all the existing personnel and requiring little additional training."²¹⁸ As a result, most of the old elements and practices were preserved to the detriment of the new police force.

The army's continued influence also helped to preserve the impunity it enjoyed prior to the accords. Although the peace agreement "specified that members of the military charged with common crimes must be tried by civilian courts,"²¹⁹ the military leaders moved quickly to undermine this provision by creating a special office for

²¹³ George R. Vickers, "Renegotiating Internal Security: The Lessons of Central America," 399.

²¹⁴ *Ibid.*, 397.

²¹⁵ Teresa Whitfield, "The Role of the United Nations in El Salvador and Guatemala," 91.

²¹⁶ George R. Vickers, "Renegotiating Internal Security: The Lessons of Central America," 398.

²¹⁷ Teresa Whitfield, "The Role of the United Nations in El Salvador and Guatemala," 282.

²¹⁸ Mark Peceny and William Stanley, "Liberal Social Reconstruction," 174.

²¹⁹ George R. Vickers, "Renegotiating Internal Security: The Lessons of Central America," 397.

investigations. The new entity, “called *la oficinita* (‘the little office’) and headed by a retired military officer.[was intended] to help alleviate the workload of the government’s prosecutors. But in reality, *la oficinita* monitored and obstructed investigations against former military officers.”²²⁰

Not everyone in the old force remained. In compliance with the accords, “the government cashiered more than 40 senior military officers on corruption and narcotics charges and reduced the size of the army by a third.”²²¹ Removed from service but not jailed, this group continued its illicit activities, becoming “a highly powerful criminal cartel.”²²² As a Guatemalan official explains, “just like in Russia, where the KGB has gotten involved in crime, in Guatemala, it is retired military [officers] who are in control of the [drug] trade.”²²³ In the present situation, “the police must confront former colleagues from the security or intelligence services who have now turned to crime.”²²⁴ Sometimes, the old ties serve a nefarious purpose as the well-connected criminals exploit their acquaintances to corrupt security personnel and government officials at the highest levels.

The peace transition was not the first time that police reform was initiated. “Since the entry of the first civilian government in 1986 several attempts [were] made to reform the Guatemalan police [and] all of these attempts...failed due to the inability to confront corruption, military control and intimidation.”²²⁵ The new reforms were ambitious: “not only was the total number of police men and women almost to be doubled [from 12,000 to 20,000], but skills, motivation and orientation of the new police force had to be made compatible with the principles of democracy and the rule of law.”²²⁶ Constitutional

²²⁰ Ana Arana, “The New Battle for Central America,” *Foreign Affairs* 80 no. 6 (November/December 2001): 96.

²²¹ *Ibid.*, 91.

²²² *Ibid.*

²²³ *Ibid.*, 95.

²²⁴ *Ibid.*, 90.

²²⁵ Marie-Louise Glebbeek, “Police Reform and the Peace Process in Guatemala: the Fifth Promotion of the National Civilian Police,” *Bulletin of Latin American Research* 20, no. 4 (2001): 434.

²²⁶ *Ibid.*, 432.

constrains on military involvement in internal security, new laws, an institutionalized hiring and promotions policy and increased salaries and budget rounded out the proposed reforms.²²⁷ Unfortunately, faced with rising crime, President Arzú “followed an expedient path of folding virtually the entire existing police force into the new PNC, and placing the expanded force under the exclusive command of former officers from the old police force,”²²⁸ in order to speed up the deployment of the new police force. As a result, “the initial PNC higher ranks consisted exclusively of officers from the old police force, infamous for their corruption, abuse and incompetence.”²²⁹

The initial recruitment of new members into the PNC encountered many problems. Corruption resulted in some recruits buying their way into the police academy as the “recruitment of new police was done through provincial governors, rather than through mass media.”²³⁰ The process yielded less than ideal recruits as “educational standards and screening were kept to a minimum to ensure adequate class sizes.”²³¹ Even with these low entry standards, former PN members “were allowed two attempts in passing the entrance exams [and] many of them still failed.”²³² Those former PN members that entered the academy underwent a shortened course of 3 months instead of 6.²³³ Several “international observers [have] criticized the length of the ‘recycling’ course for members of the former police force...[because] the three months of training they get is too short to make them more professional and change their attitude.”²³⁴ As a

²²⁷ Marie-Louise Glebbeek, “Police Reform and the Peace Process in Guatemala: the Fifth Promotion of the National Civilian Police,” *Bulletin of Latin American Research* 20, no. 4 (2001): 437-438.

²²⁸ William D. Stanley, “Interim Governance in Partial Democracies: El Salvador and Guatemala,” *Strategic Insights*, Volume V, no. 1 (January 2006): 6.

²²⁹ Marie-Louise Glebbeek, “Police Reform and the Peace Process in Guatemala,” 452.

²³⁰ “Region: Public Security With Human Rights guarantees—Challenges in Guatemala and El Salvador,” *NotiCen: Central American & Caribbean Affairs*, November 19, 2003, 3.

²³¹ *Ibid.*

²³² Marie-Louise Glebbeek, “Police Reform and the Peace Process in Guatemala,” 439.

²³³ *Ibid.*

²³⁴ *Ibid.*, 448.

result of these issues, the Washington Office on Latin America (WOLA) has stressed the need for “a major effort to ensure remedial training/retraining of the police, especially recycled police.”²³⁵

Some progress has been made as the education standards for entry into the police academy have been raised from a 6th grade to a 9th grade education and “the new police, international observers and police instructors at the academy claim that the selection procedures are now almost corruption free.”²³⁶ The new recruits “receive six hundred classes in six months...[covering] Police Techniques, Law, Humanistics, Police Administration, Physical Education and Practice and Complementary classes like first aid and driving.”²³⁷ Guatemalan officers now teach these courses, replacing Spanish Guardia Civil instructors,²³⁸ but some claim this move has reduced the quality of instruction.

Leadership has also been an issue affecting the professionalism and effectiveness of the PNC. “For many years the directors and sub-directors of the police were army officials, [and] sometimes they had two positions at the same time, one in the police and one in the army,”²³⁹ lacking specialization in police administration. These were the individuals that comprised the initial leadership of the new PNC. Compounding leadership issues, the institution had four different “interior ministers and eight PNC chiefs from 2000 through 2003.”²⁴⁰ The leadership problems continue today. In March 2007, three security officials resigned in the wake of a “scandal surrounding the deaths of

²³⁵ H. Byrne, W. Stanley, and R. Garst, *Rescuing Police Reform: a Challenge for the New Guatemalan Government* (Washington: Washington Office on Latin America, 2000): 33.

²³⁶ Marie-Louise Blebbeek, “Police Reform and the Peace Process in Guatemala,” 447.

²³⁷ *Ibid.*, 449.

²³⁸ “Guatemala: Critics Hammer New Police Force,” *Central America Report* vol. XXVII, no. 6 (February 11, 2000): 2.

²³⁹ Marie-Louise Glebbeek, “Police Reform and the Peace Process in Guatemala,” 434.

²⁴⁰ “Region: Public Security With Human Rights guarantees,” 4.

four police officers who were implicated in a quadruple homicide...and subsequently killed while in custody.”²⁴¹ This group included the Security Minister, national police chief and prison system head.

Continued military influence and deteriorating internal security conditions following the peace accords led President Arzú to follow “an expedient path of folding virtually the entire existing police force into the new PNC, and placing the expanded force under the exclusive command of former officers from the old police force.”²⁴² Not surprisingly, the corruption and ineffectiveness that permeated the previous police force continued anew in the PNC. In essence, the corrupt system that existed prior to the accords has been preserved, and “given the many defects of the ‘new’ PNC, long-term prospects for effective and democratic policing are dim.”²⁴³

²⁴¹ Marc Lacey, “3 Guatemalan Security Officials Resign in Wake of Killings,” *New York Times*, March 8, 2007. A.3.

²⁴² William D. Stanley, “Interim Governance in Partial Democracies,” 6.

²⁴³ Ibid.

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V. HOW THE TRANSITIONS EXPLAIN TODAY'S VIOLENCE

A. DIFFERENT FORCES YIELD DIFFERENT RESULTS

The ability of the armed forces to influence negotiations and implementation of reforms resulted in different internal security forces in Nicaragua, El Salvador and Guatemala. The Sandinistas in Nicaragua were able to protect the prerogatives of the armed forces throughout the negotiations and controlled the process of downsizing in a manner that retained the more experienced personnel in the force while maintaining access to the intelligence and informer networks created in the 1980s. The Nicaraguan police benefited from an increase in personnel, improved training at the police academy and the continuation of a community policing approach developed after the revolution. In essence, the current police force in Nicaragua benefits from nearly 30 years of professional experience, a situation not shared by El Salvador and Guatemala.

In El Salvador, the army did not exert as much influence and the international community prevented excessive manipulation during the implementation of reforms, yielding an internal security force that was 75% smaller than the previous force and only 20% of the new force had previous experience. The process of reform involved “an inherent tension between preserving and taking advantage of the existing knowledge and experience of available personnel from the old force, on the one hand, and creating an institution that breaks from past practices, on the other.”²⁴⁴ By removing the majority of the old personnel, the reforms in El Salvador created an initial security void, but improved the likelihood for developing a professional and effective police force.

In Guatemala, the strong negotiating position of the Guatemalan armed forces allowed them to effectively protect their interests and the international community was not as involved in the implementation of reforms as it had been in El Salvador. As a

²⁴⁴ William Stanley, “International Tutelage and Domestic Political Will,” 52.

result, the new security forces were virtually unchanged from the old and retained their previous inclination towards corrupt and abusive practices. Not surprisingly, these vastly different forces have yielded different levels of success.

A comparison of success against violence in these countries is challenging. Violence is a complex issue, defined by the World Health Organization as the “intentional use of physical force or power, threatened or actual, against oneself, another person, or against a group or community that either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment or deprivation.”²⁴⁵ Reliable information is difficult to obtain as different organizations have different approaches for collecting, ratifying and measuring data on violence. It is not unusual for government figures to differ from those provided by international organizations, NGOs and other interest groups. At times, even government figures reflect inconsistencies depending on the agency providing the information. Finding an effective indicator is thus complicated.

Under reporting of crime is also a factor and it is estimated that only 15-30% of violent crimes in the region are reported to the authorities.²⁴⁶ The data is often difficult to obtain. During the April 2008 Anti-gang Convention in El Salvador, for example, only four Central American countries provided the requested information for analysis: Guatemala, Honduras, El Salvador and Panama,²⁴⁷ thus Nicaragua did not provide any information. One solution is to concentrate on homicide rates because “international homicide figures are generally considered the most reliable indicator of the violent crime situation in a country, since, unlike crimes like robbery and assault, most intentional homicides come to the attention of the police.”²⁴⁸ By concentrating on homicide rates,

²⁴⁵ World Health Organization, *World Report on Violence and Health* (New York: United Nations Publications, 2002), 5.

²⁴⁶ Mauricio Rubio, “El Desabordamiento de la violencia en Colombia,” in Londoño, Juan Luis, Alejandro Gaviria, and Rodrigo Guerrero eds., *Asalto al Desarrollo* (Washington, D.C.: Inter-American Development Bank, 2000).

²⁴⁷ Policía Nacional Civil de El Salvador, “Recomendaciones de la IV Convención Antipandillas,” (paper presented at the IV Convención Antipandillas, El Salvador, April 2008).

²⁴⁸ United Nations Office on Drugs and Crime, *Crime and Development in Central America: Caught in the Crossfire* (New York: United Nations Publications, May 2007), 15.

the effects of underreporting and inefficient data collection are minimized. An analysis of homicide rates in Nicaragua, El Salvador and Guatemala shows significant differences amongst the three countries as illustrated in Figure 1.

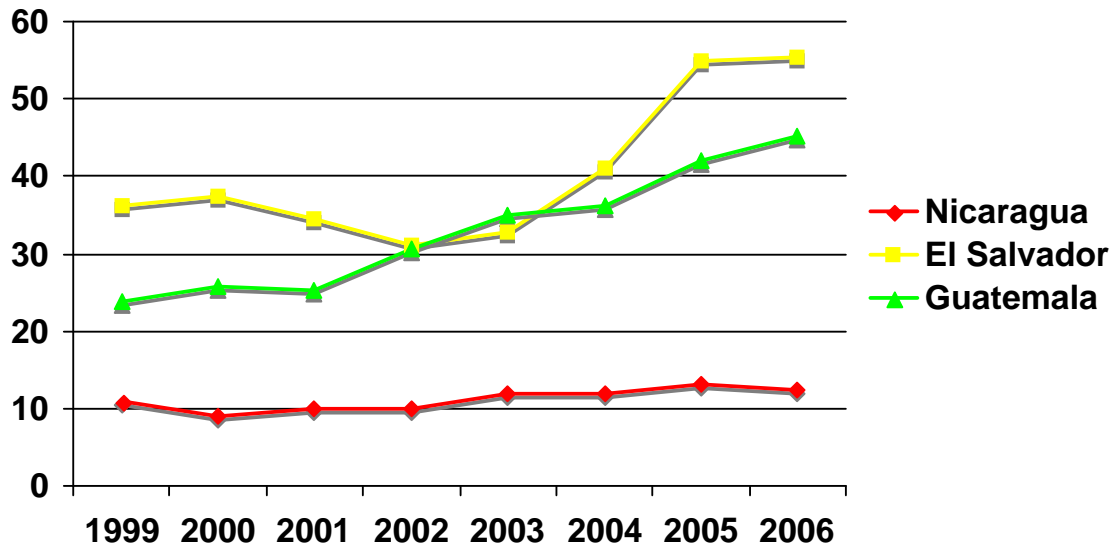


Figure 1. Homicides Per 1000,000 Citizens²⁴⁹

As the chart indicates, Nicaragua exhibits a much lower homicide rate than El Salvador and Guatemala. The present numbers for Nicaragua are lower than those in the first three years following the transition. The numbers for El Salvador and Guatemala are also lower than those in the three years immediately following their peace accords, but the incidence of homicides is much higher than Nicaragua: almost 4 times as much for Guatemala and five times higher in El Salvador. One probable explanation for the difference may be the relative size of the countries' police forces. Figure 2 provides a comparison between the three police forces.

²⁴⁹ Observatorio Centroamericano Sobre Violencia (OCAVI), "Víctimas de Homicidios Dolosos en Centroamérica y República Dominicana 1999-2007," http://www.ocavi.com/docs_files/file_379.pdf.

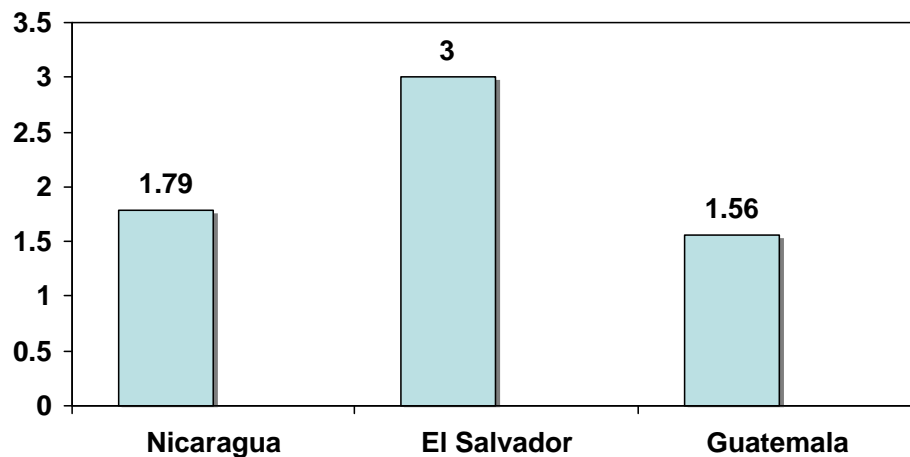


Figure 2. Police Per 100,000 Citizens²⁵⁰

The chart reveals that despite having a low number of police personnel per 100,000 citizens, Nicaragua has the lowest incidence of homicides of the three countries. Guatemala counts with a similar number of police as Nicaragua, but it has four times the homicide rate. In El Salvador, the difference is even greater. Although El Salvador counts with twice as many policemen than Guatemala and 1.21 more per 100,000 citizens than Nicaragua, it has the highest homicide rate, five times higher than the rate for Nicaragua. It should be noted that all three countries suffer from a high deficiency in numbers of police. Previous studies on establishing the rule of law after conflict suggest that “after five years, the level of domestic police should be at least 200 police per 100,000 inhabitants.”²⁵¹ In the year 2000, UNODC figures showed the U.S. had 244 police per 100,000.²⁵² Figure 3 shows a similar disparity when comparing territorial coverage measured in number of police per square kilometer in each country. Nicaragua

²⁵⁰ Observatorio Centroamericano Sobre Violencia (OCAVI), “Cobertura Policial por Cada 100 Mil Habitantes en Centroamérica y el Caribe,” December 31, 2006, http://www.ocavi.com/docs_files/file_404.pdf.

²⁵¹ Seth G. Jones, Jeremy M. Wilson, Andrew Rathmell and K. Jack Riley, *Establishing Law and Order After Conflict* (Santa Monica: The RAND Corporation, 2005), xiii.

²⁵² UNODC, *Seventh United Nations Survey on Crime Trends and the Operations of Criminal Justice Systems (1998-2000)*, http://www.unodc.org/pdf/crime/seventh_survey/7sc.pdf.

has the lowest number, with 0.08 policemen per square kilometer. Guatemala's coverage reaches 0.19 police per square kilometer and El Salvador counts with the highest level at 1.0 police per square kilometer.

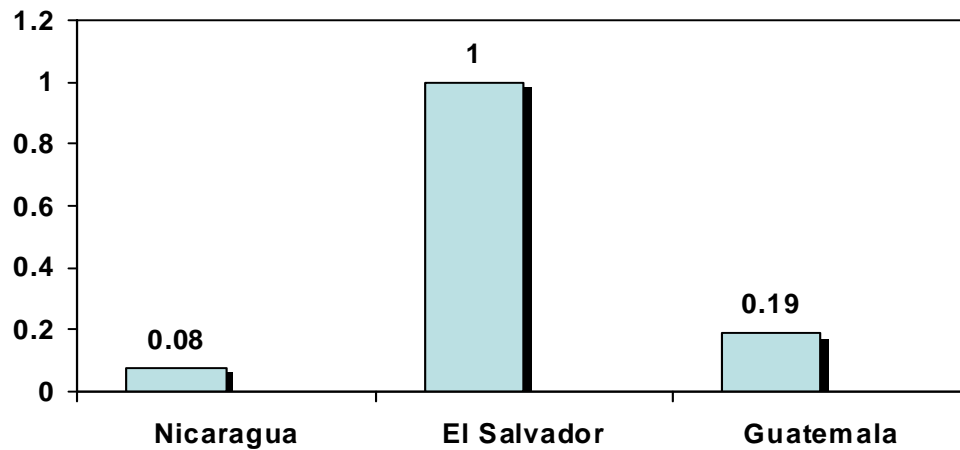


Figure 3. Police Per Square Kilometer²⁵³

Nicaragua's success at controlling homicide rates despite a much smaller police force than El Salvador and similar numbers of police to those in Guatemala highlights the effectiveness of a police force that has operated for nearly 30 years. Another important performance indicator is the rate of case clearance for reported homicides, defined as "the share of recorded crimes that results in a suspect being identified."²⁵⁴ Figure 4 compares the latest homicide clearance rates compiled by the United Nations Office on Drugs and Crime for all three countries.

²⁵³ Data compiled by the Central American Observatory on Violence (Observatorio Centroamericano Sobre Violencia, OCAVI).

²⁵⁴ "Crime and Development in Central America: Caught in the Crossfire," United Nations Office on Drugs and Crime (May 2007): 30.

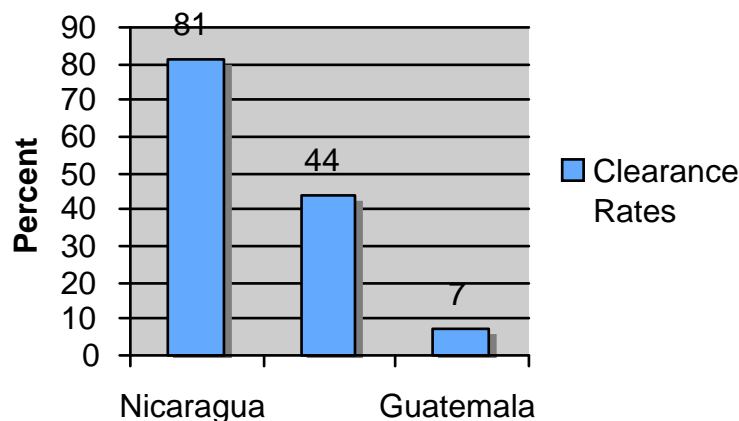


Figure 4. Homicide Clearance Rates

The clearance rate is "a key performance indicator for both uniformed personnel and investigating officers, as both parties play a key role in gathering information and witnesses, and apprehending suspects."²⁵⁵ It also provides an indicator of the competency of these officers and their ability to follow proper procedure since "acceptance of the case by prosecutors and judicial authorities indicates that the police have built a sound case."²⁵⁶ The high clearance rate for Nicaragua is almost equal to Costa Rica's rate of 82 percent and shows a capable and professional force that follows proper procedures to build a solid case.

El Salvador's homicide case clearance rate of 44 percent is more than six times better than Guatemala's 7 percent. The better performance by El Salvador's police forces compared to Guatemala reflects the growing effects of improved training and development of a new professional ethos stemming from the removal of the majority of the previous force. Guatemala's performance reflects the continuation of old practices because, "unlike El Salvador, Guatemala's police never underwent a comprehensive

²⁵⁵ *Crime, Violence, and Development: Trends, Costs, and Policy Options in the Caribbean*, Joint Report by the United Nations Office on Drugs and Crime and the Latin America and the Caribbean Region of the World Bank, March, 2007, 114, <http://scm.oas.org/pdfs/2008/CP20887E01.pdf>.

²⁵⁶ Ibid.

reform process, and this is reflected in their reputation and performance.”²⁵⁷ Nicaragua’s clearance rate indicates an internal security force that retained a core of effective and experienced personnel following the transition. The higher clearance rate increases crime prevention by generating a strong deterrent effect, since most criminals are counting on the likelihood that they will not get caught. By effectively bringing criminals to justice, the Nicaraguan police—and an improving Salvadoran Police--increase the odds against criminals, helping to prevent nefarious activities.

Corruption is another factor that undermines the effectiveness of the police. As the individual analysis of each country indicated, Guatemala is the country that retained the most corruption in its internal security forces. Corruption continues to be the main security challenge in Guatemala, affecting the country’s ability to effectively deal with violence, gangs, and organized crime. President Colom has vowed to cleanse the government and security forces of corruption, but “some institutions are so deeply compromised that effective state law enforcement is an objective likely to take years rather than months to achieve.”²⁵⁸ The extent of the problem is such that “in the six months prior to [October 2007] a total of 2,244 agents were...fired for being implicated in different illegal acts including abuse of authority, drug trafficking, kidnapping and extrajudicial execution.”²⁵⁹

El Salvador’s reforms following the transition should generate a smaller corruption problem than Guatemala, while Nicaragua should reflect lower levels of corruption as well. The 2008 Latinobarometro report supports this assumption. When asked what percentage of public officials are corrupt, Guatemalans answered 76.2%, El

²⁵⁷ “Crime and Development in Central America: Caught in the Crossfire,” 31.

²⁵⁸ Jane’s Sentinel Security Assessment, “Executive Summary: Guatemala at a Glance,” http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/sent/cacsu/guats010.htm@current&pageSelected=allJanes&keyword=executive%20summary%20guatemala%20at%20a%20glance&backPath=http://search.janes.com/Search&Prod_Name=CACS&.

²⁵⁹ Jane’s Sentinel Security Assessment, “Security And Foreign forces: Guatemala,” http://www8.janes.com/Search/documentView.do?docId=/content1/janesdata/sent/cacsu/guats140.htm@current&pageSelected=allJanes&keyword=security%20and%20foreign%20forces%20guatemala&backPath=http://search.janes.com/Search&Prod_Name=CACS&.

Salvadorans replied 72.3% and Nicaraguans estimated 68.9% to be corrupt.²⁶⁰ Asked about progress in the fight against corruption, El Salvador had the best assessment, with 48% of respondents seeing progress in this area while in Nicaragua the figure was 45%. Guatemala's citizens reported the lowest rates of the three countries as only 26% of Guatemalans believed progress has been made in fighting corruption.²⁶¹

One measure of the level of corruption in the police forces is public perception of the possibility of successfully bribing a policeman. In Guatemala, 47% of citizens believe it is possible to bribe the police. In Nicaragua, 34% believe they can bribe a cop while in El Salvador, only 24% believe this is possible.²⁶² Consistent with the analysis of the transitions, Guatemalans perceive their police forces to be the most corrupt of the three.

B. DIFFERENT APPROACHES TO FIGHTING VIOLENCE

The response to violence in El Salvador and Guatemala has emphasized suppression through *mano dura* policies. Nicaragua, on the other hand, has opted for prevention programs centered around a community policing approach, perpetuating the methods utilized by the former Sandinista Police that comprise most of the present force. Most studies agree that community based approaches work best to prevent violence and gang activity. Gangs are territorial and concerned about protecting their turf, so the best approaches enlist the help of neighbors in the areas where gangs operate. The recent study by Demoscopia indicates a high level of willingness on the part of neighbors and family members of gang members to participate in prevention and reinsertion

²⁶⁰ Corporación Latinobarómetro, *Informe 2008*, (Santiago: Corporación Latinobarómetro, November 2008), 46.

²⁶¹ Ibid., 47.

²⁶² Ibid, 49.

programs,²⁶³ making this an attractive approach. The success in Nicaragua is gaining notice from other countries and both El Salvador and Guatemala have begun to introduce community policing approaches in their fight against violence and gangs.

The move towards integration of community policing approaches by El Salvador and Guatemala is an attempt to apply lessons learned from Nicaragua and other countries in the region that have been more successful in the fight against gangs and violence. In the case of Nicaragua, the community policing approach is a continuation of the strategies utilized prior to the transition in which the Sandinista Defense Committees (CDS) acted both as a neighborhood watch organization and a network of informers that, along with other mass organizations, provided vast amounts of information to the security forces. Nicaragua's methods have been in effect for close to 30 years, as they were implemented soon after the Sandinista victory in 1979 and have benefited from access to mass organizations that act as informer networks. As the transition process allowed the Sandinistas to retain the more experienced core of their personnel in the new security forces, these veterans continued utilizing the same approach. Thus, the choice of a community policing approach in Nicaragua is a direct result of the transitions process itself. Implementation of this approach in El Salvador and Guatemala will take time before it manifests similar results.

As the data has shown, the characteristics of the police forces in Nicaragua, El Salvador and Guatemala reflect consequences from the transition processes in each country. In Nicaragua, an experienced and professional core, with continued access to a vast network of informants in neighborhood and mass organizations allowed for the formation of an effective police force capable of high rates of homicide case clearance rates and the implementation of a successful community policing approach. In Guatemala, the influence of the military helped retain most of the previously corrupt and ineffective personnel, resulting in an emphasis on repressive measures and alarmingly low homicide clearance rates. El Salvador, on the other hand, underwent substantial

²⁶³ Juanjo Medina and Pedro Mateu-Gelabert, "Prólogo: El Presente Estudio en el Contexto Internacional de Trabajos Científicos Sobre las Pandillas," in *Maras y Pandillas, Comunidad y Policía en Centroamérica: Hallazgos de un Estudio Integral* (Guatemala: F&G Editores, October 2007), xxix, http://www.demoscopia.co.cr/noticias/documentos/36_Maras2008.pdf.

reforms that resulted in a substantially reduced internal security force of which only 20% had previous experience, yielding a force that is still in transition but has great potential to develop into a more professional and effective institution. Thus, the present character of the police forces in each of these countries has been affected by the transition process, which helps explain the different levels of effectiveness and professionalism as well as the approach of each force in the fight against violence and gangs.

VI. CONCLUSION

This thesis has shown that the militaries in Nicaragua, El Salvador and Guatemala exerted different levels of influence in the period prior to, during, and after the transitions, affecting the implementation of reforms and shaping the new police forces. The extent to which the militaries were able to influence negotiations, prevent leadership purges and control the process of reducing personnel, determined whether or not old methods and previous institutional ethos were preserved. Thus, the army played an important role in shaping the police forces in these countries today. The effects of army influence manifest themselves in the present effectiveness and professionalism of these institutions and their level of corruption, with important consequences for the future.

In the case of Nicaragua, the Sandinistas were able to greatly influence the process through their control of security forces and mass organizations, legislative maneuvers prior to the turnover to the new government, and effective bargaining of the transition protocol. The net result was continued Sandinista dominance of security forces and the preservation of previous institutions and their leadership, along with their experience. As a result, the fight against violence and gangs in Nicaragua has benefited from the preservation of a capable and well-trained core of security personnel, access to mass organizations and their information networks, the continuation of a successful community policing approach, improved training and an increase of forces that have perpetuated the professionalism and effectiveness of the force. These traits manifest themselves in low levels of crime and gang presence, and a high percentage of homicide case clearance rates.

The Guatemalan military was very influential during the negotiations, and transition, allowing them to retain most of the old personnel, transfer former security personnel into the new police force, and obstruct investigations and purges of former military. In effect, the PNC became an old institution with a new name. Unfortunately, this meant that the corruption, ineffectiveness and crude methods of the old security forces hampered the development of a new institutional identity. Thus, the high level of army influence in the process has negatively affected the professionalism and

effectiveness of the Guatemalan PNC, a fact reflected in today's high crime rates, the public's perception of the PNC as corrupt, extremely low homicide case clearance rates and continued involvement of police personnel in criminal activity. The situation is such that it may require a massive purge of the current force with stringent vetting procedures for future members similar to the current Mexican efforts to create a new federal law enforcement force as part of the Merida Initiative.

El Salvador underwent the most radical reforms of the three countries. Although the government reacted to the post-transition surge in crime by delaying the disbanding of old security forces, international organizations exerted enough pressure and maintained sufficient in-country presence to minimize the negative effects of these actions. Additionally, the international community provided timely funds to ensure the new ANSP could begin to train new recruits and overcome the equipment deficiencies it faced as the new force deployed. The nearly seventy-five per cent reduction in internal security forces, coupled with the loss of eighty-percent of experienced personnel created a vast security void, generating a surge in crime.

The PNC in El Salvador shows great promise for increased success in the future as the removal of the old personnel increases the chances to develop an institutional ethos compatible with democratic policing methods, generating a more professional and effective force. Furthermore, El Salvador is rapidly assuming the leadership of regional anti-gang and anti-violence efforts, and continues to work with the FBI, DEA, INTERPOL, and other international agencies, to combat gangs and narco-trafficking. This commitment to cooperation and a regional approach increase the opportunities for success in the future.

The issue of violence and gangs is complex and multi-dimensional. The debate points to many socio-economic causes for violence and gang membership that require diverse methods for suppression, prevention and reintegration. These methods all share one thing: they require professional, capable and effective police forces to be successful. Therefore, improving the police force is the most important element of any anti-crime effort. Through a greater understanding of the benefits and shortcomings resulting from the implementation of reforms following the transitions to democracy in Nicaragua, El

Salvador and Guatemala, governments can better correct deficiencies and duplicate success. As this thesis shows, the lessons learned in these countries can provide a useful and essential reference point for future reforms in Central America and other regions of the world.

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